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Alabama Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

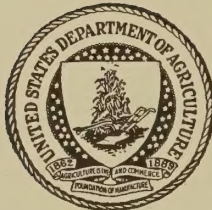
SOUTHERN DIVISION



Program effective from December 1, 1940
to November 30, 1941



Issued December, 1940



UNITED STATES
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TO THE FARMERS OF ALABAMA:

This publication contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the critical year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program.

The provisions outlined in this handbook blend into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your industry and intelligence and to coordinate your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly and concisely the details of the program in Alabama. It outlines your opportunities and your responsibilities as a cooperating producer.

With your hearty interest in the day-to-day operations of the program, this handbook can assist you to use the program provisions more effectively and thereby make a better living from your farm. Its intelligent use by every farmer should make it possible to achieve all the goals set forth in the foreword, and result in greater happiness and security for all.

ALABAMA AGRICULTURAL CONSERVATION COMMITTEE—

W. B. CRAWLEY, *Chairman*, Pike County,
L. S. FLUKER, Sumter County,
J. M. JONES, Madison County,
H. H. WHITTLE, Calhoun County,
P. O. DAVIS, *Director of Extension*,
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ALABAMA HANDBOOK

1941 Agricultural Conservation Program

FOREWORD

The 1941 Agricultural Conservation Program in Alabama is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

(1) To help farmers get and maintain a fair share of the national income.

(2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.

(3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.

(4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of tobacco and wheat, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, pro-

vided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938, if an application for a permitted acreage is made in writing prior to March 1, 1941.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments. The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or turpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than $13\frac{1}{2}$ feet apart (measured from the drill); if the rows or strips of cotton are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 2. PEANUTS

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine peanut allotments for farms on which peanuts for market were produced in any of the years 1938, 1939, and 1940. The allotment shall be determined on the basis of the smaller of (1) an indicated acreage of peanuts for market, as reflected by the tillable acreage available for the production of peanuts, taking into consideration other special crop allotments determined for the farm, with adjustments for production facilities and other physical factors affecting the production of peanuts on the farm, and (2) the acreage customarily grown for market. The peanut allotments determined for all farms in a county shall not exceed the county allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield of peanuts for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The

average yield for **all** farms in any county shall not exceed the approved county yield.

C. Payments. The payment is **11¼ cents** for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of **\$1.50** for each 100 pounds of the normal yield of the excess acreage.

D. Peanuts for market means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

If peanuts and another crop that is ordinarily intertilled, including corn, Irish potatoes, or truck crops, occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of peanuts are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to peanuts. If the rows or strips of peanuts are at least twice the normal width, only that part of the land that is actually occupied by peanuts shall be considered as planted to peanuts, provided that if cotton and peanuts are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), each row of peanuts shall be considered to occupy a strip of land 2 feet in width, and in addition, all of the land shall be considered as planted to cotton.

If peanuts and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to peanuts if the rows or strips of peanuts are less than 13½ feet apart; if the rows or strips of peanuts are 13½ feet or more apart, only that part of the land that is actually occupied by peanuts shall be classified as peanuts.

If peanuts are planted in commercial orchards, only that part of the land that is actually occupied by peanuts shall be considered as planted to peanuts. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 3. COMMERCIAL VEGETABLES

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Baldwin, Blount, Cullman, Houston, Jefferson, Mobile, and St. Clair Counties, designated as commercial vegetable counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936-1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the county, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the county limit.

B. Payments. The payment is \$1.30 for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of \$20.00 for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land planted to annual vegetable or truck crops from which any portion of the production is sold to persons not living on the farm, except

- (1) Such crops grown in home gardens for use on the farm;
- (2) Potatoes in Baldwin County; and
- (3) Dried beans, cowpeas, black-eyed peas, bulbs and flowers, watermelons, sweetpotatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily intertilled (including cotton, corn, or peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than $13\frac{1}{2}$ feet apart; if the rows or strips of commercial vegetables are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 4. IRISH POTATOES

A. Farm allotments. In Baldwin and Escambia counties, designated as commercial potato counties, the county committee, with the

assistance of other local committees, shall determine a potato allotment for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county potato allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for all farms in any county shall not exceed the approved county normal yield.

C. Payments. The payment is **2.3 cents** for each bushel of the normal yield for each acre in the potato allotment. For farms in the counties listed in subsection A, there shall be a deduction at the rate of **30 cents** for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

D. Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (1) when grown in home gardens for use on the farm and (2) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

If potatoes and another crop that is ordinarily intertilled (including cotton or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of potatoes are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to potatoes; if the rows or strips of potatoes are at least twice the normal width, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes.

If potatoes and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to potatoes if the rows or strips of potatoes are less than $13\frac{1}{2}$ feet apart; if the rows or strips of potatoes are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes.

If potatoes are planted in commercial orchards, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 5. TOBACCO

A. Farm allotments. An allotment for flue-cured or Burley tobacco shall be determined for each farm on which such kind of tobacco was produced in one or more of the 5 years 1936–1940.

In the case of flue-cured tobacco, the farm allotments for 1941 shall be the same as the 1940 allotments.

In the case of Burley tobacco, the farm allotments for 1941 shall be determined by increasing or decreasing each 1940 allotment by the same percentage by which the 1941 national marketing quota is increased or decreased from the 1940 national marketing quota, provided that no allotment shall be reduced more than 10 percent below the 1940 allotment, and no allotment shall be decreased below the larger of (1) the 1939 allotment if it was one-half acre or less, or (2) the 1940 allotment if it was not over one acre, except that if the 1939 allotment was more than one-half acre and the 1940 allotment was less than one-half acre the 1941 allotment shall be one-half acre.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured or Burley tobacco allotment may, in the case of violation of marketing quota regulations for the 1940–1941 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936–1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved county normal yield.

C. Payments. The payment is **0.8 cent** for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.

Section 6. WHEAT

A. Farm usual acreages and allotments. The county committee, with the assistance of other local committees, shall determine usual acreages and allotments for wheat in accordance with the following:

(1) Usual acreages of wheat shall be determined for farms on which the normal acreage of wheat harvested as grain or for any purpose after reaching maturity is more than 10 acres. The usual acreage shall be determined on the basis of the past acreage, with due allowance for abnormal weather conditions, tillable acreage, crop-rotation practices, type of soil, and topography. The sum of the usual wheat acreages determined for **all** farms in the county shall not exceed the sum of the average acreages seeded to wheat in 1938 and 1939 on such farms.

Wheat allotments for farms shall be determined by apportioning their proportionate share of the county allotment, less appropriate reserves, among farms for which a usual acreage is determined and for which an allotment is requested by the operator of the farm not later than November 1, 1940.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat will be seeded for harvest in 1941, but on which wheat was not seeded for harvest in any of the 3 years 1938, 1939, and 1940, provided an allotment is requested by the operator not later than November 1, 1940. The allotments shall be based on tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage seeded to wheat for harvest in 1941 is less than the 1941 allotment, the 1941 allotment shall be reduced to the acreage seeded to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm having a usual wheat acreage or for which a deduction is computed as follows:

(1) Where records (accepted by the county committee as being reliable) of the actual average yields per acre of wheat for the 10 years 1930-1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal

yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county shall not exceed the approved county yield.

C. Non-wheat allotment farm means (1) a farm for which a usual acreage of wheat is determined, unless the operator, with the approval of the county committee, elects prior to November 1, 1940, to have the farm considered as a wheat allotment farm, and (2) a farm on which the acreage normally seeded for harvest is 10 acres or less. These farms may harvest, without penalty, an acreage of wheat equal to the largest of (1) the usual acreage, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

D. Payments. For wheat allotment farms, the payment is 8 cents for each bushel of the normal yield for the farm for each acre in the wheat allotment. There shall be a deduction at the rate of 50 cents for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (1) the usual acreage of wheat for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

E. Acreage planted to wheat (for wheat allotment farms) means—

(1) Any acreage seeded to wheat, except when it is seeded in a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of oats, rye, barley, vetch, or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop that could not be harvested as wheat for grain or seed;

(2) Any acreage seeded to a mixture designated above and the wheat matures but the other crops fail to mature; and

(3) Any acreage of volunteer wheat which is on the farm after May 1, 1941;

provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by plowing, disking, or other similar tillage methods, within 15 days after notice of the acreage planted to wheat is mailed to the farm operator, but not later than May 1, 1941.

Section 7. FARM CONSERVATION PLAN

The net payment that would be made with respect to cotton, peanuts, tobacco, wheat, and potatoes shall be reduced by 1 percent for each 2 percent by which the producers on the farm fail to carry out

during the 1941 program year (December 1, 1940 to November 30, 1941) that part applicable for that period of a farm conservation plan as one which over a period of 5 years will conserve the soil and increase its productivity. The plan shall provide for carrying out on the farm of the soil-building practices needed, proper balance between the crops grown, elimination of erosion hazards, restoration of necessary humus to the soil, and other conservation practices and good land uses. The amount of the deductions made under this provision shall be available in the State to reduce the amount deducted for administrative expenses or for conservation materials for which no deduction from payments will be made if the materials are properly used.

The plan for each farm shall provide for carrying out conservation measures with minimum requirements as follows:

(1) Growing on cropland an acreage of erosion-resisting and soil-conserving crops each year equal to at least 25 percent of the cropland of biennial and perennial legumes, perennial grasses, lespedeza, crotalaria, ryegrass, Sudan grass, cowpeas, winter legumes, soybeans, sweetclover, velvetbeans, forest trees, or fall-seeded small grains (summer legumes other than crotalaria interplanted in intertilled row crops and cowpeas and soybeans completely pastured off shall not qualify);

(2) Properly terracing and maintaining terraces on all cropland in the farm subject to erosion that is not in or is not established in permanent vegetative cover;

(3) Establishing and maintaining perennial soil-conserving crops approved by the State committee, including kudzu, lespedeza sericea, and alfalfa on at least 1 acre for each 15 acres of cropland; and

(4) Establishing and maintaining permanent pasture on at least 1 acre for each 15 acres of cropland.

Each acre grown in erosion-resisting or soil-conserving crops shall count as one credit; each acre of land terraced or on which terraces are maintained shall count as two credits; each acre of perennial soil-conserving crops shall count as eight credits; and each acre of permanent pasture shall count as ten credits; provided that, other than as erosion-resisting and soil-conserving crops, the maximum credit which may be earned during the 1941 program year for maintaining terraces, perennial soil-conserving crops, or permanent pasture shall be the smaller of (1) one-fifth of the credit for the acreage of such conservation measure already established or (2) one-fifth of the minimum requirements for such conservation measure for the 5-year period; and provided further that the maximum credit which may be earned during the 1941 program year for both maintaining and establishing permanent pasture shall not exceed the total of the minimum requirements for permanent pasture for the 5-year period.

To receive full credit for carrying out the plan in 1941, a number of credits equal to one-fifth of the minimum requirements for the 5-year period must be earned on the farm during the 1941 program year. The minimum requirement for any one of the conservation measures may be met by credits earned for any other, subject to approval of the county committee, except that the minimum requirement for growing erosion-resisting and soil-conserving crops may be earned only by growing such crops.

Section 8. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

(1) **70 cents** per acre of cropland in excess of the sum of the allotments for special crops (other than commercial vegetables) for which payments are computed;

(2) **\$1.35** per acre of commercial orchards on the farm;

(3) **25 cents** per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 13, not to exceed \$15.00.

If for any farm the sum of the maximum payments computed for cotton, peanuts, commercial vegetables, Irish potatoes, tobacco, and wheat, and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect

to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940 to November 30, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of** the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pastures:

- (a) **48 pounds of available phosphoric acid—\$1.50.**
Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or a bag containing not less than 100 pounds of triple superphosphate furnished by the AAA.
- (b) **500 pounds of basic slag—\$1.50.**
- (c) **1,000 pounds of rock or colloidal phosphate—\$1.50.**

SPECIFICATIONS: The material must be evenly distributed. In the case of lespedeza seeded alone, winter legumes, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after June 15. The crops to which the material is applied must not be seeded or grown with an intertilled crop. Winter legumes seeded in row-crop middles are considered as being grown alone. The material may be applied to volunteer crotalaria or lespedeza if the application is made between January 1 and June 15. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Basic slag and rock phosphate must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)—\$2.50.**

SPECIFICATIONS: The material must be evenly distributed. The limestone must be 90 percent or more calcium carbonate equivalent; if limestone of lower grade

than this is used, it must be applied in amounts sufficient to supply calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,200 pounds of burned limestone
- 1,500 pounds of hydrated lime
- 2,000 pounds of ground oyster shells
- 3,000 pounds of calcium silicate slag
- 4,000 pounds of Selma chalk
- 2,400 pounds of Ocala limestone
- 2,000 pounds of pulp mill waste lime

The liming material must be of sufficient fineness so that 98 percent of it will pass through a 10-mesh sieve, and 50 percent through a 60-mesh sieve, except that only 60 percent of the calcium silicate slag must pass through a 40-mesh sieve; provided that materials considered by the Director of the Southern Division to be the equivalent of the above in fineness may qualify.

Seedings

3. Seeding winter legumes—\$1.50 per acre.

SPECIFICATIONS: On land on which there has not been grown a good crop of the particular winter legume during the preceding year, the seed must be inoculated. Winter legumes shall be fertilized with at least 300 pounds of 16 percent superphosphate or 500 pounds of basic slag per acre, unless the land has been fertilized with at least 300 pounds of a commercial fertilizer for the previous crop. In fields where it is known that there is a deficiency of lime, lime must be applied. Winter legumes for credit in North Alabama (including Pickens, Tuscaloosa, Bibb, Chilton, Coosa, Tallapoosa, and Lee and all counties north of these named counties) must be planted by October 15. Plantings in South Alabama (south of the above-named counties) must be planted by November 15. The seedings must be at not less than the following rates per acre:

- Austrian winter peas—30 pounds
- Oregon vetch—30 pounds
- Hairy, Monantha, and Hungarian vetch—20 pounds
- Clean crimson clover—15 pounds
- Chaffy crimson clover and bur-clover (in the bur)—60 pounds

4. Seeding annual lespedeza—\$1.00 per acre.

SPECIFICATIONS: Annual lespedeza must be seeded at not less than 30 pounds per acre and not later than March 31, 1941. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

5. Seeding crotalaria—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 1, 1941, and at not less than 20 pounds per acre broadcast. Where there is a known deficiency of phosphate, it must be applied. Credit will be given for applying the phosphate under practice 1 if applied in accordance with the specifications for such practice. No credit will be given for seeding crotalaria on land on which crotalaria was grown in 1940.

6. Seeding lespedeza sericea—\$1.50 per acre

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Lespedeza sericea must be inoculated in all cases, and where there is a known deficiency of phosphate or lime, this material must be applied. The application of lime or phosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. Seeding alfalfa—\$1.50 per acre.

SPECIFICATIONS: (a) Alfalfa must be planted on land in a high state of productivity. Land must be harrowed or disked throughout summer sufficiently to destroy weeds and grass and to form a good seedbed.

(b) At least 25 pounds of Kansas common non-irrigated seed must be sown per acre as soon after August 15 as sufficient moisture is in the soil and before October 15. Seed must be inoculated.

(c) Each acre must be fertilized as follows:

(1) In Black Belt on Sumter soils, 375 pounds of 16 percent superphosphate and 50 pounds of muriate of potash must be applied at time of planting.

(2) Out of Black Belt, not less than 3 tons of ground limestone must be applied several months before planting in addition to 1 ton of 16 percent superphosphate at planting time.

8. Establishment of a permanent vegetative cover of kudzu—\$4.50 per acre.

SPECIFICATIONS: The kudzu must be planted on well-prepared land during the dormant season. There must be a survival of at least 350 plants per acre showing healthy growth, which under normal conditions requires planting at least 500 plants per acre. It is required that an application of 200 pounds of 16 percent superphosphate (or its equivalent) per acre be made for which credit will be given under practice 1 if applied in accordance with the specifications for such practice. Cultivation is required until the vines cover the ground.

Pasture

9. Seeding a permanent pasture mixture containing a full seeding of Dallis grass—\$3.00 per acre.

SPECIFICATIONS: (a) **Preparation:** The acreage which is to be established in a permanent pasture shall have weeds, bushes, or other undesirable vegetation removed. All the top soil must be stirred by breaking or double harrowing, or its equivalent, to prepare a seedbed. The seedbed shall be firm before the seed is sown.

(b) One of the following mixtures must be used:

Standard seeding:

Mixture to be used except on lime soils of the Black Belt—

10 pounds Dallis grass	} or {	10 pounds of annual lespedeza
10 pounds annual lespedeza		5 pounds of Dallis grass
2 pounds White Dutch clover		5 pounds of orchard grass
		5 pounds of blue grass
		2 pounds of White Dutch clover

On the lime lands of the Black Belt—

10 pounds Dallis grass
10 pounds black medic
2 pounds White Dutch clover

If home-grown seed is used, equivalent amounts based on percent germination shall be used. Where advisable, additional amounts of the above seed or seed of other grasses shall be added. White Dutch clover seed shall be inoculated. New pastures established on critical slopes or land subject to serious erosion must be contour furrowed at not more than 8-foot intervals.

10. Development of non-crop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.

SPECIFICATIONS: (a) The non-crop open pasture land to qualify under this practice must have prior approval of the county committee and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species and the original condition of the area must be such that a satisfactory sod could not be established or the area mowed without the removal of the brush, vines, loose stones, and trees. Any such clearing as is needed must be done between December 1, 1940, and March 31, 1941, so that the area may be seeded during the 1941 program year.

(c) The area approved under this practice must also be seeded in accordance with specifications for practice 9. Such seeding will qualify for payment under that practice.

(d) The equivalent of at least 300 pounds of 16 percent superphosphate per acre must be applied in all cases, and lime must also be applied, if needed, for which credit will be given under practice 1 or 2 if applied in accordance with the specifications for such practice.

Erosion Control

11. Construction of 100 linear feet of standard terrace for which proper outlets are provided—75 cents.

[Alabama Extension Circular No. 165 explains in greater detail all points mentioned in this terrace specification. A copy may be obtained free from any Alabama county agent.]

SPECIFICATIONS: (a) Terraces shall not be considered complete until proper terrace outlets are constructed and protected. Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture strip should be developed for outlet control. Where the above conditions are not possible or practical, a sodded channel must be established. The outlet ends of all terrace channels shall be protected by the use of adapted vegetative strips, rocks, or other suitable impediments.

(b) Terraces on 12 percent slopes will be 44 feet apart, and on 3 percent slopes 100 feet apart, etc. 140 feet is the maximum spacing between terraces on land with a slope of less than 3 percent.

(c) The maximum fall on a 1300-foot terrace on a 12 percent slope will be 3 inches per 100 feet on sandy soils, and 5 inches per 100 feet on clay soils. Terraces which show excessive erosion in the channel will not qualify.

(d) The width of terraces will vary according to the slope of the land. Terraces, to have sufficient capacity for recommended spacing, must have a minimum width of 15 feet on a 12 percent slope. This width is measured from the edge of the bank on the lower side to the upper edge of terrace channel. On the flatter lands, for instance a 2 percent grade, a width of 20 feet will be required.

The capacity of terrace shall be determined by measuring a cross section of channel. A cross section of 6 square feet is necessary, which means that a terrace channel on a 16-foot terrace shall not be more than 11 feet wide, therefore the channel must be 14 inches deep; a 12-foot channel 12 inches deep; and a 15-foot channel 10 inches deep. Other grades between these will fall somewhere in the range and the narrower the channel the greater the required depth. These measurements shall be taken in the weaker part of the terrace where there is heavy strain. From 4 to 6 inches height on the ridge above the line of measurement is necessary as a safety factor for settling where terraces are newly constructed.

Green Manure and Cover Crops

12. Green manure and cover crops turned under or left on the land—\$1.50 per acre.

SPECIFICATIONS: Credit will **not** be given for lespedeza, kudzu, peanuts, any volunteer crops except crotalaria, soybeans from which the seed is harvested by mechanical means, or any crop for which credit is given in 1941 under any other practice. Crops that will qualify are summer legumes, with the above exceptions,

winter legumes, fall or winter-sown small grains, and common ryegrass. A summer-growing crop turned under on land subject to erosion must be followed by a winter cover crop. A good stand and a good growth must be obtained and left on the land or turned under. A good growth means a growth which, if harvested for hay, would make approximately $\frac{2}{3}$ ton per acre of air-dry material (14 pounds green weight for an average plot of 100 square feet).

Forestry

13. Planting forest trees—\$4.50 per acre.

SPECIFICATIONS: **Time of planting:** Planting to be done during the dormant season.

Kind of trees: Pines to include any of the following species: Loblolly, long-leaf, slash, and shortleaf; hardwoods to include black locust, catalpa, yellow poplar, white oak, white ash, and red cedar.

Number and spacing: 1,000 trees or more spaced 6 by 7 feet or closer must be planted on each acre. At least 65 percent of the plantings must be growing at the time performance is checked.

Method of planting: For planting black locust and other hardwoods, the ground must be flat-broken or wide-bedded with plow at least two months in advance of planting. For pines no preparation is required. Ample holes must be dug to take all roots without curling main taproot, with the dirt drawn into hole and thoroughly packed around roots without injury, and the trees set tight in the ground in planting. Black locust, catalpa, and red cedars must be fertilized with a good complete commercial fertilizer, as for example 6-8-4, at the rate of 300 pounds per acre.

Cultivation: The hardwoods must be cultivated twice the first growing season.

Protection: The plantings must be adequately protected against injury from fire and livestock.

Trees purchased from a State nursery may qualify under this practice.

14. Cultivating, protecting, and replanting if necessary, a good stand of hardwood or red cedars planted between January 1, 1940, and November 30, 1940—\$1.50 per acre.

SPECIFICATIONS: (a) Hardwood and red cedar trees must be cultivated twice between May and August.

(b) A stand composed of not less than 600 hardwood or red cedar trees per acre, evenly distributed over the area, must be maintained, by replanting if necessary, with seedlings of the same species between December 1, 1940, and March 1, 1941.

(c) The trees must be protected adequately to prevent damage by fire. All hardwood and red cedar species must be fully protected from livestock by the construction of fences, if necessary. Firebreaks must be constructed in accordance with practice 15 by plowing on sides adjacent to woodlands or fields having a fire hazard.

15. Construction of firebreaks for the protection of farm woodland—10 cents per 100 linear feet of firebreak constructed.

SPECIFICATIONS: This practice is restricted to counties approved by the State committee. The land to qualify under this practice must have prior approval of the county committee. The firebreaks must be at least 6 feet wide and cleared to mineral soil of all inflammable material. The woodland areas must be divided into blocks of not more than 20 acres each by firebreaks. The area around which the firebreaks are constructed must be unburned during the year for which payment is made. Areas qualifying for payment under practice 13, 14, or 16 or the Naval Stores Conservation Program will not qualify.

16. Improving a stand of forest trees—\$3.00 per acre.

SPECIFICATIONS: (a) The county committee must approve the area on which this practice is to be carried out prior to the institution of the practice.

(b) The county committee shall not approve such practice unless the area on which it is to be carried out is protected from fire and has dead, diseased, insect-infested, crooked, and limby trees or undesirable species which need removing, and when removed will leave in excess of 100 potential timber trees of desirable species at least 6 inches in diameter per acre or 200 trees at least 3 inches in diameter per acre well distributed over the area.

(c) All dead, diseased, insect-infested, crooked, limby, and undesirable species which will not produce forest products and which are interfering with the growth of desirable trees, shall be removed. To qualify under this practice, the woodland area protected must be unburned during the year for which payment is made and must be protected from adjoining grassland and woodland by a firebreak at least 6 feet wide, cleared to mineral soil of all inflammable material, or a natural barrier such as a road or stream. Woodland areas must be divided into blocks of not more than 20 acres by such a firebreak.

(d) A given area may qualify for payment under this practice only one time in each 5-year interval.

Miscellaneous

17. Growing a home garden for a landlord, tenant, or sharecropper per family on a farm—\$1.50 per garden.

SPECIFICATIONS: (a) There must be at least one-fourth acre of garden for each family but not less than one-tenth acre for each member of the family.

(b) The garden shall be substantially in production throughout the year. At least 10 different vegetables must be produced. Adequate protection from livestock must be provided.

(c) The soil must be properly plowed and worked before seeding and must be kept free of weeds and in good state of cultivation after planting.

(d) An effort must be made to control insect pests.

Section 9. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to cotton, peanuts, commercial vegetables, Irish potatoes, tobacco, or wheat shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had

been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, for failure to carry out the farm conservation plan set forth in section 7 shall be regarded as a pro rata deduction with respect to payments computed in connection with cotton, peanut, Irish potato, tobacco, and wheat allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deduction shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 10. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$12.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	(¹)
\$31.00 to \$31.99	10. 20	\$200.00 and over	(²)

¹ Increase to \$200.00.

² No increase.

Section 11. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Alabama shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 12. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county. The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 8 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 13. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 14. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 15. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land or

woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

- (1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

- (3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

- (6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment,

but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

- (7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any Government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

- (11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted, or caused or permitted the planting of, cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants, or causes or permits the planting of, cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose), and proves that the excess

acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that:

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of sections 1 to 6, inclusive, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 16. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 9, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-

operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 17. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any cotton, wheat, peanut, commercial vegetable, potato, or tobacco acreage allotment or yield, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of

any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 18. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Non-crop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** means cotton, wheat, peanut, commercial vegetable, potato, or tobacco acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 19. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority. Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Alabama in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds. The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability. The provisions of this handbook (except sections 11 and 15A) are applicable only to farms in Alabama, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture; or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

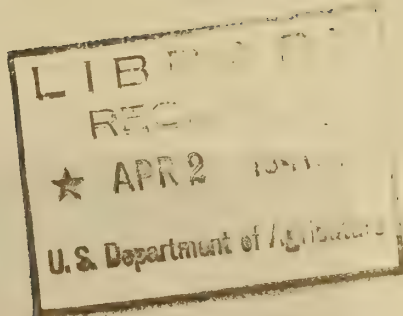
The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by Acting Administrator on November 15, 1940, and of Supplement 1 thereto approved by the Acting Administrator on December 20, 1940.

I. W. DUGGAN,
Director, Southern Division.

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SRB-501-ARK. (A AREA)

Arkansas Handbook (A Area)

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION

**Program Effective From December 1, 1940
to November 30, 1941**

[Applicable to the following counties or areas: Baxter, Benton, Boone, Carroll, Independence, Madison, Marion, Randolph (Area II), Sharp, Stone, and Washington.]

Issued January 1941



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

TO THE FARMERS OF ARKANSAS:

This publication contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program.

The provisions outlined in this handbook blend into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your industry and intelligence and to coordinate your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly and concisely the details of the program in Arkansas. It outlines your opportunities and your responsibilities as a cooperating producer.

With your hearty interest in the day-to-day operations of the program, this handbook can assist you to use the program provisions more effectively and thereby make a better living from your farm. Its intelligent use by every farmer should make it possible to achieve all the goals set forth in the foreword, and result in greater happiness and security for all.

ARKANSAS AGRICULTURAL CONSERVATION COMMITTEE—

RUFUS C. BRANCH, *Chairman*, Mississippi County,
KITT PHILLIPS, Benton County,
CECIL C. COX, Arkansas County,
CHAS. C. WILLEY, Jefferson County,
JIM KEITH, Columbia County,
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ARKANSAS HANDBOOK—AREA A

1941 Agricultural Conservation Program

[Applicable to the following counties or areas: Baxter, Benton, Boone, Carroll, Independence, Madison, Marion, Randolph (Area II), Sharp, Stone, and Washington]

FOREWORD

The 1941 Agricultural Conservation Program in Arkansas is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

NOTICE

Listed below are the principal closing dates for the execution and filing of the necessary forms and information with respect to the 1940-1941 farm program:

- (a) 1940 parity payment applications must be filed in the county office by December 31, 1940.

- (b) 1940 agricultural conservation payment applications must be filed in the county office by March 31, 1941.
- (c) 1941 agricultural conservation payment applications must be filed in the county office by March 31, 1942.

In order to be eligible for payment under the 1941 Agricultural Conservation Program, a work sheet must be filed in the county office by the operator of the farm by March 31, 1941, for each farm which has not been covered by a work sheet under a previous program.

Section 1. COTTON

A. Farm allotments.—The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of tobacco, rice, and wheat, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small reserve may be available if any "frozen" cotton allotments are released in writing by operators by April 15, 1941, to be used to increase allotments that are inadequate and not representative; provided that the cotton allotment for any farm shall not be increased under this provision to more than 40 percent of the acreage on each farm which is tilled annually or in regular rotation.

(6) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. A permitted acreage will be determined for each "new" cotton farm for which an application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if written applications are received in the county office after February 1, 1941, provided any reserve is available at the time the applications are filed.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments.—The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. **Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.**

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7

feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than $13\frac{1}{2}$ feet apart (measured from the drill); if the rows or strips of cotton are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

Section 2. WHEAT

A. Farm allotments.—(1) The county committee, with the assistance of other local committees, shall determine allotments for farms on which wheat was planted for harvest in one or more of the years 1938, 1939, and 1940, on the basis of tillable acreage and crop-rotation practices, as reflected in the usual acreage of wheat on the farm or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat will be seeded for harvest in 1941, but on which wheat was not seeded for harvest in any one of the 3 years 1938, 1939, and 1940. This apportionment shall be based on tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage seeded to wheat for harvest in 1941 is less than the 1941 allotment, the 1941 allotment shall be reduced to the acreage seeded to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Non-wheat allotment farm means (1) a farm for which a wheat allotment of 5 acres or less is determined and the operator has not made a written request for the farm to be considered as an allotment farm, and (2) a farm for which a wheat allotment of more than 5 acres is determined and the county committee approves a written request of the farm operator to have such farm considered as a non-wheat allotment farm. The written request for the non-allotment option must be received in the county office not later than December 31, 1940, except that if the wheat allotment notice is not transmitted to the operator prior to 15 days before the closing date, the request may be made within 15 days after the date shown on the notice of the 1941 wheat allotment.

C. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm having a usual wheat acreage or for which a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930-1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county shall not exceed the approved county normal yield.

D. Payments.—For a wheat allotment farm, the payment is **8 cents** for each bushel of the normal yield for each acre in the wheat allotment. There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield for each acre planted to wheat in excess of the allotment.

For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for grain, or for any other purpose after reaching maturity, in excess of the larger of the allotment or 10 acres.

E. Acreage planted to wheat (for wheat allotment farms only) means—

(1) Any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of oats, rye, barley, vetch, or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop that could not be harvested as wheat for grain or seed);

(2) Any acreage seeded to a mixture designated above and the wheat matures but the other crops fail to mature; and

(3) Any acreage of volunteer wheat which is on the farm after April 15, 1941;

provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by plowing or disking under, or other similar tillage methods, within 15 days after notice of the acreage planted to wheat is mailed to the farm operator, but not later than April 15, 1941.

Section 3. RICE

A. Farm allotments.—The county committee, with the assistance of other local committees and the approval of the State committee, shall determine rice allotments in accordance with the following:

(1) An allotment shall be determined for each farm tilled by a producer who participated in the production of rice in one or more of

the 5 years 1936-1940 and who will participate in the production of rice in 1941. The allotment shall be determined on the basis of his past production of rice during the 5 years 1936-1940, adjusted to the acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility, the acreage diverted under previous agricultural conservation programs, and other physical factors affecting the production of rice, including the labor and equipment available for the production of rice on the farm.

(2) A small acreage reserve shall be made available to be apportioned among farms tilled by producers who are participating in the production of rice in 1941 for the first time since January 1, 1936. The allotments shall be determined on the basis of the applicable standards set forth in the above paragraph, except that the rice allotment for any such farm shall not exceed 75 percent of the allotment that would have been made to the farm had such person(s) participated in the production of rice in one or more of the 5 years 1936-1940. If the 1941 acreage of rice on a farm tilled solely by producers who are participating in the production of rice for the first time in 1941 since January 1, 1936, is less than the 1941 rice allotment, the final allotment shall be reduced to the 1941 rice acreage.

(3) The sum of the rice allotments in a State shall not exceed the State allotment.

B. Farm normal yields.—The State and county committees, with the assistance of other local committees, shall determine for each farm for which a rice allotment is determined or a deduction is computed a normal yield of rice in accordance with the following:

(1) If records (accepted by the committee as being reliable) of the actual average yield of rice per acre for the 5 years 1936-1940 are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(2) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (1) of this subsection.

(3) If the average of the normal yields for all farms participating in the 1941 program in the State exceeds the average yield per acre for the State during the 5 years 1936-1940, the normal yields for **all** such farms shall be reduced pro rata so that the average of such normal yields will not exceed the State average yield.

C. Payments.—The payment is **2.475 cents** for each bushel of the normal yield for each acre in the rice allotment. If the acreage planted to rice is in excess of the allotment, there shall be a deduction at the rate of **27 cents** for each bushel of the normal yield of the excess acreage.

D. Acreage planted to rice means the acreage of land seeded to rice, provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to rice if disposed of by

plowing, disking, or other effective tillage methods, within 10 days after a notice of the acreage planted to rice is mailed to the operator but not later than harvest, and provided further that all or any part of any acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage of rice planted on the farm, may be considered as not having been planted.

Section 4. TOBACCO

A. Farm allotments.—For farms producing Burley tobacco in one or more of the 5 years 1936–1940, the acreage allotments for 1941 shall be determined by increasing or decreasing each 1940 allotment by the same percentage by which the 1941 national marketing quota is increased or decreased from the 1940 national marketing quota, provided that no allotment shall be reduced more than 10 percent below the 1940 allotment, and no allotment shall be decreased below the larger of (1) the 1939 allotment if it was one-half acre or less or (2) the 1940 allotment if it was not over one acre, except that if the 1939 allotment was more than one-half acre and the 1940 allotment was less than one-half acre the 1941 allotment shall be one-half acre.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any Burley tobacco allotment may, in the case of violation of marketing quota regulations for the 1940–1941 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco acreage allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936–1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained

on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved normal yield for the county.

C. Payments.—The payment is **0.8 cent** for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.

Section 5. COMMERCIAL VEGETABLES

A. Usual acreages.—The county committee, with the assistance of other local committees, shall determine a usual acreage for each farm having a cotton, rice, wheat, or tobacco allotment for which the normal acreage of commercial vegetables is 3 acres or more in Benton, Carroll, Madison, and Washington Counties. The usual acreage shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936–1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the usual acreages determined for **all** farms in the county, including farms on which vegetables were not grown in the period 1936–1940, inclusive, shall not exceed the approved county limit.

B. Payments.—There is no payment with respect to commercial vegetables in the above counties. For farms in these counties there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the usual acreage or 3 acres. This deduction applies only to farms having a cotton, rice, tobacco, or wheat allotment.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (2) cowpeas, black-eyed peas, watermelons, sweet-potatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily inter-tilled (including cotton, corn, and peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as

planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than $13\frac{1}{2}$ feet apart; if the rows or strips of commercial vegetables are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

Section 6. TOTAL SOIL-DEPLETING CROPS

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine a total soil-depleting allotment for each farm. The allotment shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration special crop allotments determined for the farm. The total allotment for any farm shall compare with the total allotments for other farms in the same community which are similar with respect to these factors. The total soil-depleting allotments determined for the farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm productivity indexes.—The county committee, with the assistance of other local committees, shall determine a productivity index for each farm. The productivity index shall be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of any crop that does accurately reflect the productivity of the farm may be used. Where the 1940 productivity index accurately reflects the productivity of a farm for 1941, it may be used for the 1941 program. The productivity index for the farm shall be fair and equitable as compared with the productivity indexes for other farms in the county. The average productivity index for all farms in the county shall not exceed 100.

C. General soil-depleting crops or general crops mean all crops and land uses listed in the definition of "soil-depleting acreage," except wheat, cotton, rice, tobacco, and commercial vegetables where a separate payment or deduction is computed with respect to such crops; provided that wheat on a non-wheat allotment farm and vegetables in Benton, Carroll, Madison, and Washington Counties, on which usual acreages of commercial vegetables are not determined,

shall always be regarded as general crops for the purpose of determining the division of the net payment or net deduction computed with respect to general crops. All or any part of any acreage of rice or any general crop which is totally destroyed before maturity by flood, insects, or any other cause beyond the control of the operator, may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops, if replaced by other acreage devoted to a soil-depleting crop.

D. Non-general allotment farm means a farm on which the total soil-depleting allotment (excluding the cotton allotment or permitted acreage) is not in excess of 30 acres, but on which the soil-depleting acreage is in excess of the sum of (1) the total soil-depleting allotment, and (2) the acreages for which deductions are computed with respect to special crops.

E. Payments.—The rate of payment for general allotment farms is the county rate per acre,¹ adjusted for productivity, for each acre in the total allotment in excess of the sum of the special crop acreages with respect to which a payment is computed.

For general allotment farms, there shall be a deduction at the county rate,¹ adjusted for productivity, for the soil-depleting acreage in excess of the sum of (1) the total allotment and (2) the acreages for which deductions are computed with respect to special crops.

For non-general allotment farms, there shall be a deduction on the above basis for the soil-depleting acreage in excess of the sum of (1) 30 acres, (2) the cotton allotment or permitted acreage for the farm, and (3) the acreages for which deductions are computed with respect to special crops.

Section 7. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal.—The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals.—The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county or administrative area to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals.—Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not

¹ The average rate of payment per acre for general crops in the United States is \$1.10 per acre, and the average rate of deduction is \$8.00 per acre. The Secretary will establish for each county a rate of payment and deduction per acre.

routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance.—The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

(1) **50 cents** for each acre of cropland in excess of the total soil-depleting allotment for the farm;

(2) **\$1.35** for each acre of commercial orchards on the farm on December 1, 1940;

(3) **25 cents** per acre of fenced noncrop open pasture land in excess of one-half of the number of acres of cropland on the farm, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) For non-general allotment farms, the county rate per acre, adjusted for the productivity of the farm, for each acre in the total allotment in excess of the sum of the special acreages with respect to which payments are computed for the farm; and

(5) **\$3.00** for each acre planted to forest trees in accordance with practice 22, not to exceed \$15.00.

If for any farm with respect to which the sum of the maximum payments computed for cotton, rice, tobacco, and wheat and under items (1) to (4), inclusive, of this subsection is less than \$20.00, the amount determined under items (1) to (4), inclusive, shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs.—Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, pastures established, or perennial legumes or grasses seeded, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices.—The soil-building practices listed below, if included in the county soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940, to November 30, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify

for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture:**

- (a) **48 pounds of available phosphate (P_2O_5)—\$1.50.**—Some materials which will supply this amount of phosphate are: 300 pounds of 16-percent superphosphate, 240 pounds of 20-percent superphosphate, 100 pounds of 48-percent triple superphosphate, or one 100-pound bag of triple superphosphate furnished by the AAA.
- (b) **500 pounds of basic slag—\$1.50.**
- (c) **700 pounds of rock phosphate—\$1.50.**

The material must be evenly distributed over the area and may be applied only to the eligible crops grown alone or in mixtures. In the case of winter legumes and common ryegrass, application should be made at or before the time of seeding, but in no case later than November 30, 1941. The material may be applied to volunteer lespedeza, volunteer crotalaria, lespedeza seeded in the spring of 1941 or crotalaria seeded in the spring of 1941 if the application is made between January 1 and June 15. In the case of lespedeza or crotalaria grown with small grain, the material must not be applied either before April 15 nor after June 15. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Winter legumes seeded in row-crop middles are considered as grown alone. Basic slag and rock phosphate must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)—\$2.00.**—The material must be evenly distributed. The limestone must be 90 percent or more calcium carbonate equivalent. If materials of a lower grade are used, sufficient additional quantities shall be applied to furnish calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone.
- 1,400 pounds of hydrated lime.
- 2,000 pounds of ground oyster shells.
- 2,000 pounds of pulp mill waste lime.

Limestone and oyster shells must be of sufficient fineness so that 50 percent will pass through a 60-mesh sieve, and 98 percent through a 10-mesh sieve.

Seedings

All seed used in seeding practices must comply with State Plant Board regulations and seed tags or purchase certificates may be required at the time of performance to substantiate the purchase and use of such seed except that seed grown on the farm and planted on such farm will not require seed tags.

3. Seeding winter legumes—\$1.50 per acre.—The crops, minimum seeding rates per acre, and final dates for seeding are as follows:

- Hairy vetch—20 pounds—November 15.
- All other vetches—30 pounds—November 15.
- Austrian winter peas—30 pounds—November 15.
- Crimson clover—15 pounds—October 1.
- Bur-clover (in the bur)—50 pounds—October 1.

Vetches, Austrian winter peas, and crimson clover must be artificially inoculated at the time of planting. All land subject to erosion should be seeded in beds on the contour. 300 pounds of 16-percent superphosphate (or its equivalent) or 1,000 pounds of lime, or both, must be applied where there is a known deficiency of these materials. Credit will be given for applying such materials under practice 1 or 2 whichever is applicable if applied in accordance with the specifications for such practice.

4. Seeding annual lespedeza—\$1.00 per acre.—Annual lespedeza must be seeded not later than May 1, 1941, and at not less than 20 pounds per acre. At least a 75-percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for volunteer lespedeza or naturally reseeded lespedeza. No payment will be made for carrying out this practice in 1941 on land on which practice payment is made under practice 9, 11, 12, or 14 in 1941 or on which a permanent pasture is already established, except that credit may be allowed for seeding lespedeza in the spring of 1941 on the same land where ryegrass will be seeded in the fall, in accordance with practice 9, on established lespedeza meadows for winter cover.

5. Seeding crotalaria—\$1.50 per acre.—The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 15, 1941, and at not less than either 20 pounds per acre broadcast, or 10 pounds in rows which must be cultivated. Where there is a known deficiency of phosphate, it must be applied. Credit will be given for applying the superphosphate under practice 1 if applied in accordance with specifications for such practice.

6. Seeding lespedeza sericea—\$1.50 per acre.—The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Where there is a known deficiency of either phosphate or lime, these materials must be applied. The application of lime or superphosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. Establishment of a permanent vegetative cover by planting kudzu—\$3.00 per acre.—At least 200 pounds of 16-percent superphos-

phate (or its equivalent) must be applied per acre at the time of planting. Credit will be given under practice 1 for the application of this material if applied in accordance with specifications for such practice. At least 1,000 plants per acre must be planted after the land has been prepared to a good state of cultivation. It will be necessary for the kudzu to be cultivated until the ground is covered by the vines. There must be a survival of 500 evenly distributed plants per acre.

8. Seeding adapted varieties of alfalfa—\$1.50 per acre.—The minimum rate of seeding is 20 pounds per acre and seed must be inoculated. The land must be prepared in accordance with good farming practices well in advance of planting time and be maintained in a good state of cultivation. Superphosphate or lime, or both, must be applied where there is a known deficiency of these materials. Credit will be given for applying such materials under practice 1 or 2 whichever is applicable if applied in accordance with specifications for such practice.

9. Seeding common ryegrass, annual or biennial sweetclover, red clover, Persian clover, Alyce clover, black medic, or orchard grass—75 cents per acre.—The minimum seeding rates per acre are as follows:

- Black medic (where adapted)—10 pounds.
- Common ryegrass—20 pounds.
- Sweetclover—20 pounds.
- Orchard grass (where adapted)—15 pounds.
- Red clover (where adapted)—10 pounds.
- Persian clover—15 pounds.
- Alyce clover—15 pounds.

These rates are for clean seed. Where seed containing trash or other foreign material is used, the rate will be increased to compensate for the trash or foreign material. Black medic must be planted only on alkaline or neutral soils. Lime must be applied on acid soils. Biennial sweetclover must be seeded on lime soil or where sufficient lime has been added to warrant good growth. Orchard grass should be used only in the central and northern parts of the State. Red clover will be used only in the northern part of the State where sufficient lime is either available in the soil or is applied and only upon farms approved by the county committee. No credit will be given for carrying out this practice in 1941 on land on which practice 11 or 14 is carried out in 1941 or under previous programs. Credit will not be given for seeding more than one of the above crops on the same land. Credit will be given for the application of lime under practice 1 if applied in accordance with specifications for such practice.

10. Seeding white clover or Ladino clover—\$1.50 per acre.—The land must be prepared well in advance of planting time to form a good firm seedbed. The seed must be inoculated and seeded alone at the minimum rate of 6 pounds per acre and by October 15, 1941, if seeded in the fall, and by March 31, 1941, if seeded in the spring.

FERTILIZATION: At least 300 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre and worked into the soil prior to seeding. On acid soils at least 1,000 pounds of ground limestone must be applied per acre. Credit will be given for the

application of the lime and phosphate under practice 1 or 2 if applied in accordance with the specifications for such practice.

Pasture

11. Establishment of permanent pasture by planting sod pieces of Bermuda grass—\$3.00 per acre.—Establishing of permanent vegetative cover under this practice may be done on cropland or non-cropland. Land to be sodded must be prepared as for seeding a permanent pasture, and the sodding must be done either in contour furrows not more than 3 feet apart and 3 feet in the furrow, with special precautions to provide a furrow deep enough and wide enough to provide for good lodging of the sod and adequate covering, or by broadcasting sod pieces on the land that has been disked or broken, and be followed by plowing to properly cover the sod pieces. This sodding may be done at the same rate of sod pieces in row crops. The seeding of grasses and legumes as provided in practice 8, 9, 12, or 14 will not be done during the same year in which the sodding is established. A liberal application of complete fertilizer or manure should be made. A permanent vegetative cover shall not be deemed to have been established until 75 percent of the sod pieces show healthy growth.

12. Overseeding on base pasture grasses adapted to the county—10 pounds of seed \$1.50.—[This practice is applicable only to land that has a good stand of perennial grasses.] The following plants must be used in mixtures at the indicated rates:

Annual lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds, or

Bur-clover—15 pounds in bur seeded with 15 bushels manure.

These crops are to be sown during the same year and during their accepted seeding season. No credit will be given either for using any of these seed alone or for carrying out this practice on the same land on which either practice 4, 9, 11, or 14 is carried out in 1941. Where there is a known deficiency of lime or phosphate, an application of 1,000 pounds of lime or 300 pounds of 16 percent superphosphate (or their equivalents) must be applied. Credit will be given for the application of superphosphate or lime under practice 1 or 2 if applied in accordance with the specifications for such practice.

13. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.—Pastures shall consist of a mixture of perennial grasses and pasture legumes and shall be mowed twice each year or more often, if necessary, to control weeds, shrubs, bushes, etc. The plants mowed are not to be used either for feeding purposes or sold for any purpose. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

14. Seeding of designated permanent pasture mixtures—\$3.00 per acre.—Permanent pasture must be established by making seedings of one of the following mixtures of perennial grasses and clovers. Where there is a known deficiency of lime or phosphate, an applica-

tion of at least 1,000 pounds of lime or 300 pounds of 16 percent superphosphate (or their equivalents) must be made. Credit will be given for the application of the superphosphate and lime under practice 1 or 2 if applied in accordance with the specifications for such practice.

(a) The following mixture will be acceptable in all parts of the State:

Bermuda grass—5 pounds (hulled seed).
 Lespedeza—8 pounds.
 Hop clover—3 pounds.
 White clover—2 pounds, or
 Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(b) The following mixture may be used only on creek bottom sandy loam soils of the southern part of the State:

Carpet grass—10 pounds.
 Lespedeza—8 pounds.
 Hop clover—3 pounds.
 White clover—2 pounds, or
 Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(c) The following seedings are suitable and acceptable to most of the upland and medium fertile soils throughout the State:

Bermuda grass—3 pounds (hulled seed).
 Dallis grass—5 pounds.
 Lespedeza—8 pounds.
 Hop clover—3 pounds.
 White clover—2 pounds, or
 Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(d) The following seedings will be acceptable if approved by the county committee for the farm prior to carrying out the practice:

Orchard grass—12 pounds, or
 Kentucky bluegrass—8 pounds, or both where necessary.
 Lespedeza—8 pounds.
 Hop clover—3 pounds.
 White clover—2 pounds, or
 Bur-clover (where adapted)—15 pounds seeded with 15 bushels manure.

15. Development of non-crop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.—(a) The non-crop open pasture land to qualify under this practice must have prior approval of the county committee and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species and the original condition of the area must be such that a satisfactory sod could not be established or the area mowed without the removal of the brush, vines, trees, and loose stones. Any such clearing as is needed will need be done between December 1, 1940, and March 31, 1941, so that the area may be sodded or seeded during the 1941 program year.

(c) The area approved under this practice must also be seeded or sodded in accordance with specifications for practice 11 or 14. Credit for such seeding or sodding will be given under practice 11 or 14 if carried out in accordance with specifications for such practice.

(d) At least 300 pounds of 16-percent superphosphate (or its

equivalent) per acre must be applied and in all cases at least 1,000 pounds of ground limestone must also be applied if the pH of the soil is below 6. Credit will be given for the application of lime or phosphate under practice 1 or 2 if applied in accordance with the specifications for such practice.

(e) The area approved must be adequately fenced by the time the pasture is established.

Erosion Control

16. Construction of terraces and outlets on cropland or fenced non-crop open pasture land—200 linear feet of terrace \$1.50.—(a) **SLOPE:** Terraces constructed on cropland with slopes from 3 to 8 percent will qualify, and in addition, slopes up to 12 percent in the limestone area in the gravelly phases and in black land of southwest Arkansas may be terraced. Small areas with slopes in excess of the above may be terraced where it is necessary to include such area to complete the terrace system for the field.

(b) **VERTICAL DISTANCE:** The maximum vertical distance between terraces is determined by adding 2 to the slope in percent and dividing by 2. A tolerance of 6 inches will be allowed.

(c) **FALL:** The maximum fall for terrace channels should be 4 inches per 100 linear feet. A variable fall is recommended for terraces of more than 400 feet in length.

(d) **WIDTH AND HEIGHT:** The ridge-type terrace for the more gentle slopes should not be less than 18 feet wide measured from the center of the water channel above the terrace to the edge of the bank below the terrace. The settled height shall not be less than 18 inches from the bottom of the water channel to the top of the terrace. All measurements are to be made at the narrowest part of the terrace, and at the lowest points in the ridge.

For steeper slopes, the channel-type terrace (a shallow V-shaped ditch, with all earth moved to form a ridge on the lower side) should be used and may be used on all slopes adapted to terracing. The channel shall be not less than 12 feet wide on the steeper slopes, and 16 feet wide on the more gentle slopes, measured from the crest to the upper side of the cut, and the depth of the channel shall be not less than 16 inches at the bottom of the V-cut.

(e) **OUTLETS:** Proper terrace outlets must be constructed. Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture strip should be developed for outlet control. Where the above conditions are not possible, or practical, a sodded channel must be established. The outlet ends of all terrace channels shall be protected by the use of adapted vegetative strips, rocks, or other suitable impediments.

(f) Contour cultivation must be practiced on all fields where terraces are constructed after December 1, 1940, for soil-building practice payment, as a prerequisite to any soil-building payment which might be made on a field so terraced.

Percent slope	Vertical fall between terraces (feet)	Horizontal distance between terraces (feet)	Minimum base width (feet)	Settled effective height (inches)	Linear feet per acre
2	2.5	125	22	18	348
3	2.75	92	22	18	475
4	3.00	75	20	18	580
5	3.25	65	20	18	670
6	3.5	58	18	18	750
7	3.75	54	18	18	810
8	4.00	50	18	18	870
9	4.25	47	16	18	910
10	4.50	45	16	18	968

(g) **VARIABLE GRADE OF TERRACES:** Terraces should be laid off on variable grade from 0-4 inches per 100 linear feet. The first 300 to 400 feet should be level; the second 300 to 400 feet should have 1-inch fall per 100 linear feet; the third 300 to 400 feet should have 2-inch fall per 100 linear feet; the fourth 300 to 400 feet should have 3-inch fall per 100 linear feet; the fifth, or outlet, 300 to 400 feet should not exceed 4-inch fall per 100 linear feet. The maximum length of terrace in one direction should not exceed 1,600 feet.

17. Strip cropping with alternate strips of close-grown crops and intertilled crops—35 cents per acre.—Erosion-resisting strips may be planted either to kudzu or broadcast seedings of alfalfa, annual lespedeza, lespedeza sericea, crotalaria, winter legumes alone or in combination with small grains, small grains, cowpeas in combination with sorghum or Sudan grass, sorghum, Sudan grass, or other dense-growing crops.

(a) Strips shall be laid off with an accurate terrace level on terrace spacings recommended in practice 16.

(b) Strips of either erosion-resisting or erosion-permitting crops shall not be less than 20 feet nor more than 100 feet wide.

(c) On slopes up to 4 percent at least 25 percent of the total area shall be in protective cover; on slopes from 4 to 10 percent at least 33 $\frac{1}{3}$ percent; and on slopes above 10 percent at least 50 percent of the total area. Slopes in excess of 4 percent must be terraced.

Credit will be given for this practice only in the years in which the strips of erosion-preventing crops are established.

18. Contour ridging non-crop open pasture land on slopes up to 6 percent—\$1.50 per acre.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacings must not exceed 15 feet.

(c) Ridges should be constructed by plowing two or more rounds, leaving an unbroken strip or balk between the ridges, the balk to be broken out with a disk, double shovel, cultivator, or other implement designed to construct a flat-bottomed furrow at least 12 inches in width at the bottom. Width of plowed area must not be less than 3 feet on either side of the balk.

(d) Contour ridges must be constructed with the ends curved up the slope. Such ridge must not cross gullies, but the ends must be curved up the slope to direct water away from the gully.

19. Contour ridging non-crop open pasture land with a slope in excess of 6 percent—15 cents per 100 linear feet.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacing must not exceed 30 feet.

(c) Contour ridges should be of the broad base type—6 to 10 feet in width—and should be constructed by plowing at least six furrows (three rounds) of soil together with an 8-inch or larger turning plow. It will likely require more than one plowing to complete the ridge.

(d) The ridge for the gentler slopes (6–12 percent) will not be less than 10 feet and on the steeper slopes (over 12 percent) not less than 6 feet in width measured from the center of the water channel above the ridge to the edge of the bank below the ridge. The settled height shall not be less than 12 inches from the bottom of the water channel to the top of the ridge. All measurements are to be made at the narrowest part of the ridge and at the lowest points in the ridge.

(e) Contour ridges must be constructed with the ends curved up the slope. Such ridges must not cross gullies but the ends must be curved up the slope to direct water away from the gully.

Green Manure and Cover Crops

20. Green manure and cover crops of legumes, common ryegrass, oats, rye, or barley, or a mixture of winter legumes and oats, rye, or barley—\$1.50 per acre.—Credit will not be given for lespedeza, peanuts, soybeans harvested by mechanical means, or any other crop for which credit is given under any other practice in 1941. A summer legume turned under on land subject to erosion must be followed by a winter cover crop. Crops such as vetch, Austrian winter peas, bur-clover, crimson clover, cowpeas, common ryegrass, mung beans, soybeans, and fall-sown small grains may qualify. A good stand and good growth must be obtained and left on the land or turned under. A good growth means a growth which, if harvested for hay, would make approximately $\frac{2}{3}$ -ton per acre of air-dry material.

21. Cowpeas, velvetbeans, crotalaria, or soybeans, interplanted or grown in combination with intertilled row crops—30 cents per acre.—If the legume is planted in the row with an intertilled crop, it must be planted at the time the intertilled crop is planted. If planted in alternate rows of not less than 3 feet apart, it must be planted early enough to assure a good growth. Legumes broadcast or drilled in middles of normal width rows (3 to 4 feet) will not qualify for this practice. Soybeans harvested for seed by mechanical means will not qualify. A good stand and good growth must be obtained and the vines not harvested. A good growth means approximately $\frac{2}{3}$ -ton per acre of air-dry material.

Forestry

22. Planting forest trees—\$3.00 per acre.—(a) **TIME OF PLANTING:** Planting to be done between December 1, 1940, and March 31, 1941.

(b) **KIND OF TREES:** Loblolly or shortleaf pine, red or Ozark white cedar, black locust, yellow poplar, white or green ash, red or white oak, hackberry, catalpa, sweetgum, cottonwood, Osage-orange, cypress, to be planted pure. One- to three-year-old seedlings or transplant stock is to be used.

(c) **NUMBER AND SPACING:** Not less than 1,000 trees per acre must be planted in forest plantations. This ordinarily calls for spacing of about $6\frac{1}{2}$ by $6\frac{1}{2}$ feet.

(d) **METHOD OF PLANTING:** Sod if present should be removed over 18-inch square, and in center ample holes must be dug to take all roots without curling main taproot and soil must be drawn into hole and trees set tight in ground by thoroughly packing the soil around roots.

(e) **PROTECTION:** The plantings must be adequately protected against injury from fire and livestock.

(f) **SATISFACTORY SURVIVAL:** Satisfactory survival shall be 700 trees per acre for forest plantations. Trees purchased from a State nursery may qualify under this practice.

(g) **CULTIVATION:** Hardwoods must be cultivated during the first growing season so as to prevent competition from weeds and grass. Pines must be cultivated the first season where such cultivation is needed to protect the trees from weeds and grass and to conserve moisture.

(Practices 23 and 24 applicable only in the "B" area of Arkansas.)

25. Cultivating, protecting, and replanting if necessary, a good stand of hardwood trees planted between January 1, 1940, and November 30, 1940—\$1.50 per acre.—(a) Seriously competing growth must be removed by cultivation at least twice during the summer.

(b) A stand composed of not less than 700 trees per acre must be maintained, by replanting to original stocking if necessary, such replanting to take place between December 1, 1940, and March 31, 1941.

(c) The trees must be protected adequately to prevent damage by fire and livestock.

Orchards

26. Setting peach and apple trees on the contour where the slopes are in excess of 4 percent—\$1.50 per acre.—The county committee must approve the use of this practice for the farm before the practice is executed for such practice to qualify for payment. The contour lines for setting the trees will be laid off with an accurate terrace level at the regular terrace interval. A row of trees will be set on each such contour line. Additional trees may be set at the regular spacing to cover the remaining area. The land should be terraced before the trees are set. All cultivation, seeding of cover crops, and any turning of the land must be on the contour during the year in which such settings are made to qualify for payment. All roads and turn-rows through the orchard must be blocked in such a way as to prevent the starting of gullies.

27. The removal of diseased or uneconomical apple trees which normally produce fruit—not to exceed \$15.00 per acre.—This practice must be approved for the farm by the county committee before

the practice is put into execution on the farm. Only live permanent trees may be removed and counted for payment. Filler, semi-permanent, or dead trees will not be counted for payment even though removed from the orchard. Land so cleared shall not be used for the growing of either special crops or any other soil-depleting crop. Not more than \$15.00 per acre can be earned under this practice at the following rates per tree:

- For trees less than 5 inches in diameter—no payment.
- For trees 5 to 12 inches in diameter—30 cents per tree.
- For trees over 12 inches in diameter—50 cents per tree.

Home Gardens

28. Growing a home garden for a landlord, tenant, or share-cropper family on a farm—\$1.50 a garden.—(a) There must be at least one-fourth acre or one-tenth acre of garden for each member of the family (excluding sweetpotatoes).

(b) The garden (excluding sweetpotatoes) shall be in not more than two pieces of ground and must be devoted to vegetables throughout the year. At least 10 different vegetables must be produced, which may include roasting ear corn, crowder or field peas, tomatoes, and sweetpotatoes grown outside the garden. Two or more families on the same farm may combine their gardens into a common area. Suggested basic vegetables include sweetpotatoes, Irish potatoes, collards, turnip greens, turnip roots, snap beans, crowder or field peas, lima beans, cabbage, tomatoes, onions, and okra.

(c) The garden area must be adequately protected from livestock and the soil must be properly plowed and worked before seeding and must be kept free from weeds and in a good state of cultivation after planting.

(d) Spring planting of garden vegetables must be completed by June 1. Successive plantings should be made throughout the year, with late plantings completed in time for harvest of the vegetables before killing frosts.

(e) An effort must be made to control insect pests.

Section 8. SOIL-DEPLETING ACREAGE

(a) **Soil-depleting acreage** means the acreage of land devoted during the 1941 crop year to one or more of the following crops or uses (land from which a volunteer crop is harvested shall be classified as if the crop were planted):

- (1) Corn planted for any purpose, except roasting ear corn or popcorn grown in home gardens for use on the farm.
- (2) Tobacco harvested for any purpose.
- (3) Grain sorghums planted for any purpose.
- (4) Land considered as planted to cotton in accordance with the definition of "acreage planted to cotton" on page 3. Other land on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length.
- (5) Peanuts dug for any purpose, except when grown in a home garden for use on the farm.
- (6) Sugarcane grown for any purpose.
- (7) Rice planted for any purpose.

(8) Annual truck and vegetable crops planted for any purpose, except when grown in home gardens for use on the farm.

(9) Potatoes planted for any purpose, except when grown in home gardens for use on the farm.

(10) English peas planted for canning or freezing, except when used as green manure or grown in home gardens for use on the farm.

(11) Small grains:

(a) Wheat on a farm for which a wheat allotment is determined, if considered as planted in accordance with the definition in section 2 E.

(b) Wheat (on a non-wheat allotment farm), oats, barley, rye, or mixtures of these crops, harvested for grain.

(c) Wheat (on a non-wheat allotment farm), oats, barley, rye, or mixtures of these crops, harvested for hay (including designated mixtures containing wheat on any farm), except when (i) lespedeza or sweetclover is seeded in a workmanlike manner before the small grain is cut and the small grain is cut not later than the early milk stage, or (ii) seeded in a mixture containing at least 25 percent by weight of winter legume seed.

(12) Sudan grass or millet harvested for grain or seed.

(13) Sweet sorghums harvested for any purpose. A summer legume and sweet sorghum mixture harvested for hay will not be considered as sweet sorghums, provided less than one-half of the harvested mixture is composed of sweet sorghums.

(14) Broomcorn planted for any purpose.

(15) Commercial bulbs and flowers and strawberries harvested for any purpose.

(16) Flax planted for any purpose, except when matched acre for acre by perennial legumes or perennial grasses seeded alone in a workmanlike manner.

(b) If one soil-depleting crop is followed by another soil-depleting crop on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded.

(c) If more than one soil-depleting crop occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop, except that if another soil-depleting crop is grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are less than 7 feet apart, cotton shall be considered to occupy all of the land.

(d) Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and the acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

(e) If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil depleting, the entire acreage of land shall be classified as soil depleting; except that where strips of soil-depleting crops, alternating with strips of legumes or other crops not classified as soil depleting, are 3 rows (10 feet) or more apart, the acreage occupied thereby is classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point $1\frac{3}{4}$ feet from the outside of the strip of soil-depleting crop); provided that if peanuts (whether or not soil depleting) are grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are 7 feet or more apart, the land shall be classified in accordance with the actual acreage occupied by each crop.

Section 9. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments.—(1) The net payment or net deduction computed for any farm with respect to special and general crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.**—If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.**—If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices.—The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions.—If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 10. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$12.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	(¹)
\$31.00 to \$31.99	10. 20	\$200.00 and over	(²)

¹ Increase to \$200.00.

² No increase.

Section 11. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment

Act to any individual, partnership, or estate with respect to farms and turpentine places located in Arkansas shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 12. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county.—The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 7 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State.—The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 13. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 14. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 15. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program.—All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intention-

ally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop, and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms.—No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures.—No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims.—Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secre-

tary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments.—Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage.—Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement

that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent

the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment.—Notwithstanding the deduction provisions of sections 1 through 6, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 16. APPLICATION FOR PAYMENT

A. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 9, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required.—Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms.—If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the state from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 17. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any cotton, wheat, rice, or tobacco allotment, or soil-building allowance; (c) the division of payment, or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 18. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other lands included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord or owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof, and in the case of rice also means a person furnishing water for a share of the rice.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Non-crop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, wheat, rice, tobacco, and commercial vegetable acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

(11) **The "A" area of Arkansas** means the following counties or areas: Baxter, Benton, Boone, Carroll, Independence, Madison, Marion, Randolph, (Area II), Sharp, Stone, and Washington.

Section 19. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in the "A" area of Arkansas in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds.—The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic

Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability.—The provisions of this handbook (except sections 11 and 15A) are applicable only to farms in the "A" area of Arkansas but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture; or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Acting Administrator on November 19, 1940. and of Supplements 1 and 2 thereto.

I. W. DUGGAN,
Director, Southern Division.



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Arkansas Handbook (B Area)

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION

Program effective from December 1, 1940, to November 30, 1941

[Applicable to the following counties or areas: Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Izard, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph (area I), Saint Francis, Saline, Scott, Searcy, Sebastian, Sevier, Union, Van Buren, White, Woodruff, and Yell.]

Issued January 1941



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

TO THE FARMERS OF ARKANSAS:

This publication contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program.

The provisions outlined in this handbook blend into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your industry and intelligence and to coordinate your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly and concisely the details of the program in Arkansas. It outlines your opportunities and your responsibilities as a cooperating producer.

With your hearty interest in the day-to-day operations of the program, this handbook can assist you to use the program provisions more effectively and thereby make a better living from your farm. Its intelligent use by every farmer should make it possible to achieve all the goals set forth in the foreword, and result in greater happiness and security for all.

ARKANSAS AGRICULTURAL CONSERVATION COMMITTEE—

RUFUS C. BRANCH, *Chairman*, Mississippi County,
KITT PHILLIPS, Benton County,
CECIL C. COX, Arkansas County,
CHAS. C. WILEY, Jefferson County,
JIM KEITH, Columbia County,
H. E. THOMPSON, *Assistant Director of Extension*,
J. B. DANIELS, *Administrative Officer in Charge*.

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ARKANSAS HANDBOOK (B AREA)

1941 Agricultural Conservation Program

[Applicable to the following counties or areas: Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Izard, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph (area I), Saint Francis, Saline, Scott, Searcy, Sebastian, Sevier, Union, Van Buren, White, Woodruff, and Yell.]

FOREWORD

The 1941 Agricultural Conservation Program in Arkansas is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

(1) To help farmers get and maintain a fair share of the national income.

(2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.

(3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.

(4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

NOTICE

Listed below are the principal closing dates for the execution and filing of the necessary forms and information with respect to the 1940-41 farm program:

(a) 1940 parity payment applications must be filed in the county office by December 31, 1940.

(b) 1940 agricultural conservation payment applications must be filed in the county office by March 31, 1941.

(c) 1941 agricultural conservation payment applications must be filed in the county office by March 31, 1942.

In order to be eligible for payment under the 1941 Agricultural Conservation Program, a work sheet must be filed in the county office by the operator of the farm by March 31, 1941, for each farm which has not been covered by a work sheet under a previous program.

Section 1. COTTON

A. Farm allotments.—The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of tobacco, rice, and wheat, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small reserve may be available if any "frozen" cotton allotments are released in writing by operators by April 15, 1941, to be used to increase allotments that are inadequate and not representative; provided that the cotton allotment for any farm shall not be increased under this provision to more than 40 percent of the acreage on each farm which is tilled annually or in regular rotation.

(6) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. A permitted acreage will be determined for each "new" cotton farm for which an application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if written applications are received in the county office after February 1, 1941, provided any reserve is available at the time the applications are filed.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal

yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments.—The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. **Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.**

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and

in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than $13\frac{1}{2}$ feet apart (measured from the drill); if the rows or strips of cotton are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

Section 2. WHEAT

A. Farm usual acreages and allotments.—The county committee, with the assistance of other local committees, shall determine usual acreages and allotments for wheat in accordance with the following:

(1) Usual acreages of wheat shall be determined for farms on which the normal acreage of wheat harvested as grain or for any purpose after reaching maturity is more than 10 acres. The usual acreage shall be determined on the basis of the past acreage, with due allowance for diversion under previous programs, abnormal weather conditions, tillable acreage, crop-rotation practices, type of soil, and topography.

Farm wheat allotments shall be determined by apportioning their proportionate share of the county allotment, less appropriate reserves, among farms for which a usual acreage is determined and for which an allotment is requested by the operator of the farm not later than November 1, 1940.

(2) A small acreage reserve shall be made available to be apportioned to farms on which wheat will be seeded for harvest in 1941, but on which wheat was not seeded for harvest in any of the 3 years 1938, 1939, and 1940, provided an allotment is requested by the operator not later than November 1, 1940. The allotments shall be based on tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage seeded to wheat for harvest in 1941 is less than the 1941 allotment, the 1941 allotment shall be reduced to the acreage seeded to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm having a usual wheat acreage or for which a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930–39 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all avail-

able facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county shall not exceed the approved county normal yield.

C. Non-wheat allotment farm means (1) a farm for which a usual acreage of wheat is determined, unless the operator, with the approval of the county committee, elects prior to November 1, 1940, to have the farm considered as a wheat allotment farm, or (2) a farm on which the acreage normally seeded for harvest is 10 acres or less. These farms may harvest, without penalty, an acreage of wheat equal to the largest of (1) the usual acreage, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

D. Acreage planted to wheat (for wheat allotment farms only) means:

(1) Any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of oats, rye, barley, vetch, or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop that could not be harvested as wheat for grain or seed);

(2) Any acreage seeded to a mixture designated above and the wheat matures but the other crops fail to mature; and

(3) Any acreage of volunteer wheat which is on the farm after April 15, 1941;

provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by plowing or disking under, or other similar tillage methods, within 15 days after notice of the acreage planted to wheat is mailed to the farm operator, but not later than April 15, 1941.

E. Payments.—For wheat allotment farms, the payment is 8 cents for each bushel of the normal yield for the farm for each acre in the wheat allotment. There shall be a deduction at the rate of 50 cents for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (1) the usual acreage of wheat determined for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

Section 3. RICE

A. Farm allotments.—The county committee, with the assistance of other local committees and the approval of the State committee, shall determine rice allotments in accordance with the following:

(1) An allotment shall be determined for each farm tilled by a producer who participated in the production of rice in one or more of

the 5 years 1936-40 and who will participate in the production of rice in 1941. The allotment shall be determined on the basis of his past production of rice during the 5 years 1936-40, adjusted to the acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility, the acreage diverted under previous agricultural conservation programs, and other physical factors affecting the production of rice, including the labor and equipment available for the production of rice on the farm.

(2) A small acreage reserve shall be made available to be apportioned among farms tilled by producers who are participating in the production of rice in 1941 for the first time since January 1, 1936. The allotments shall be determined on the basis of the applicable standards set forth in the above paragraph, except that the rice allotment for any such farm shall not exceed 75 percent of the allotment that would have been made to the farm had such person(s) participated in the production of rice in one or more of the 5 years 1936-40. If the 1941 acreage of rice on a farm tilled solely by producers who are participating in the production of rice for the first time in 1941 since January 1, 1936, is less than the 1941 rice allotment, the final allotment shall be reduced to the 1941 rice acreage.

(3) The sum of the rice allotments in a State shall not exceed the State allotment.

B. Farm normal yields.—The State and county committees, with the assistance of other local committees, shall determine for each farm for which a rice allotment is determined or a deduction is computed a normal yield of rice in accordance with the following:

(1) If records (accepted by the committee as being reliable) of the actual average yield of rice per acre for the 5 years 1936-40 are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(2) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (1) of this subsection.

(3) If the average of the normal yields for all farms participating in the 1941 program in the State exceeds the average yield per acre for the State during the 5 years 1936-40, the normal yields for **all** such farms shall be reduced pro rata so that the average of such normal yields will not exceed the State average yield.

C. Payments.—The payment is **2.475 cents** for each bushel of the normal yield for each acre in the rice allotment. If the acreage planted to rice is in excess of the allotment, there shall be a deduction at the rate of **27 cents** for each bushel of the normal yield of the excess acreage.

D. Acreage planted to rice means the acreage of land seeded to rice, provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to rice if disposed of by

plowing, disking, or other effective tillage methods within 10 days after a notice of the acreage planted to rice is mailed to the operator but not later than harvest, and provided further that all or any part of any acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage of rice planted on the farm, may be considered as not having been planted.

Section 4. TOBACCO

A. Farm allotments.—For farms producing Burley tobacco in one or more of the 5 years 1936–40, the acreage allotments for 1941 shall be determined by increasing or decreasing each 1940 allotment by the same percentage by which the 1941 national marketing quota is increased or decreased from the 1940 national marketing quota, provided that no allotment shall be reduced more than 10 percent below the 1940 allotment, and no allotment shall be decreased below the larger of (1) the 1939 allotment if it was one-half acre or less or (2) the 1940 allotment if it was not over one acre, except that if the 1939 allotment was more than one-half acre and the 1940 allotment was less than one-half acre the 1941 allotment shall be one-half acre.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any Burley tobacco allotment may, in the case of violation of marketing quota regulations for the 1940–41 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco acreage allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936–40 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with

yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved normal yield for the county.

C. Payments.—The payment is **0.8 cent** for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.

Section 5. COMMERCIAL VEGETABLES

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Crawford, Franklin, Phillips, and Sebastian Counties, designated as commercial vegetable counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936–40, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the county, including farms on which vegetables were not grown in the period 1936–40, inclusive, shall not exceed the official county limit.

B. Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (2) cowpeas, black-eyed peas, watermelons, sweetpotatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily intertilled (including cotton, corn, and peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than 13½ feet apart; if the rows or strips of commercial vegetables are 13½ feet or more apart, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

C. Payments.—The payment is **\$1.30** for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

Section 6. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In the "B" area of Arkansas, where no total soil-depleting acreage allotments will be established under the 1941 program, a deduction of **\$5.00** shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than **26** percent of the cropland on the farm. Such deduction shall apply only to farms having a cotton, rice, wheat, or tobacco allotment.

The following crops, **other than those planted in the fall of 1941**, when grown and cared for in a workmanlike manner on cropland, will count toward meeting this requirement:

1. Biennial or perennial legumes, perennial grasses, or common ryegrass.
2. Lespedeza, crotalaria, cowpeas, sweetclover, mung beans, and velvetbeans.
3. Soybeans from which seed is not harvested by mechanical means.
4. Winter legumes other than those seeded in the fall of 1941.
5. Small grains seeded in the fall of 1940 (except wheat on a wheat allotment farm) which are (i) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay, (ii) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (iii) grazed and not harvested for grain or hay, or (iv) used as green manure crops.
6. Fallow rice land.
7. Forest trees on cropland planted under the 1940 or 1941 program other than those planted in the fall of 1941.

Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but acreages of these crops interplanted with intertilled row crops, such as corn, cotton, and sorghums, shall not qualify.

Cropland on which approved terraces are constructed under the 1941 program and on which no crops other than one or more of the erosion-resisting or soil-conserving crops listed in this section are grown in 1941 will count toward meeting this requirement. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 16, the acre will count as 3 acres toward meeting the minimum requirement.

Section 7. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal.—The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals.—The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county or administrative area to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals.—Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance.—The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

(1) **70 cents** per acre of cropland in excess of the sum of the allotments for cotton, rice, wheat, and tobacco for which payments are computed;

(2) **\$1.35** per acre of commercial orchards on the farm on December 1, 1940;

(3) **25 cents** per acre of fenced noncrop open pasture land in excess of one-half of the number of acres of cropland on the farm, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) **\$3.00** for each acre planted to forest trees in accordance with practice 22 not to exceed **\$15.00**.

If for any farm with respect to which the sum of the maximum payments computed for cotton, rice, tobacco, wheat, and commercial vegetables and under items (1), (2), and (3) above of this subsection is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs.—Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, pastures established, or perennial legumes or grasses seeded, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the

payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices.—The soil-building practices listed below, if included in the county soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940 to November 30, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of** the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture:

(a) **48 pounds of available phosphate** (P_2O_5)—\$1.50.—Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or one 100 pound bag of triple superphosphate furnished by the AAA.

(b) **500 pounds of basic slag**—\$1.50.

(c) **700 pounds of rock phosphate**—\$1.50.

The material must be evenly distributed over the area and may be applied only to the eligible crops grown alone or in mixtures. In the case of winter legumes and common ryegrass, application should be made at or before the time of seeding, but in no case later than November 30, 1941. The material may be applied to volunteer lespedeza, volunteer crotalaria, lespedeza seeded in the spring of 1941, or crotalaria seeded in the spring of 1941, if the application is made between January 1 and June 15. In the case of lespedeza or crotalaria grown with small grain, the material must not be applied either before April 15 or after June 15. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Winter legumes seeded in row-crop middles are considered as grown alone. Basic slag and rock phosphate must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. Application of 1 ton of ground limestone (or its equivalent)—
\$2.50.—The material must be evenly distributed. The limestone must be 90 percent or more calcium carbonate equivalent. If materials of a lower grade are used, sufficient additional quantities shall be applied to furnish calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone.
- 1,400 pounds of hydrated lime.
- 2,000 pounds of ground oyster shells.
- 2,000 pounds of pulp mill waste lime.

Limestone and oyster shells must be of sufficient fineness so that 50 percent will pass through a 60-mesh sieve and 98 percent through a 10-mesh sieve.

Seedings

All seed used in seeding practices must comply with State Plant Board regulations, and seed tags or purchase certificates may be required at the time of performance to substantiate the purchase and use of such seed, except that seed grown on the farm and planted on such farm will not require seed tags.

3. Seeding winter legumes—\$1.50 per acre.—The crops, minimum seeding rates per acre, and final dates for seeding are as follows:

- Hairy vetch—20 pounds—November 15.
- All other vetches—30 pounds—November 15.
- Austrian winter peas—30 pounds—November 15.
- Crimson clover—15 pounds—October 1.
- Bur-clover (in the bur)—50 pounds—October 1.

Vetches, Austrian winter peas, and crimson clover must be artificially inoculated at the time of planting. All land subject to erosion should be seeded in beds on the contour. 300 pounds of 16 percent superphosphate (or its equivalent) or 1,000 pounds of lime, or both, must be applied where there is a known deficiency of these materials. Credit will be given for applying such materials under practice 1 or 2, whichever is applicable, if applied in accordance with the specifications for such practice.

4. Seeding annual lespedeza—\$1.00 per acre.—Annual lespedeza must be seeded not later than May 1, 1941, and at not less than 20 pounds per acre. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for volunteer lespedeza or naturally reseeded lespedeza. No payment will be made for carrying out this practice in 1941 on land on which practice payment is made under practice 9, 11, 12, or 14 in 1941 or on which a permanent pasture is already established, except that credit may be allowed for seeding lespedeza in the spring of 1941 on the same land where ryegrass will be seeded in the fall, in accordance with practice 9, on established lespedeza meadows for winter cover.

5. Seeding crotalaria—\$1.50 per acre.—The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 15, 1941, and at not less than either 20 pounds per acre broadcast, or 10 pounds in rows which must be cultivated. Where there is a known deficiency of phosphate, it must be applied. Credit will be given for applying the superphosphate under practice 1 if applied in accordance with specifications for such practice.

6. **Seeding lespedeza sericea**—\$1.50 per acre.—The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Where there is a known deficiency of either phosphate or lime, these materials must be applied. The application of lime or superphosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. **Establishment of a permanent vegetative cover by planting kudzu**—\$3.00 per acre.—At least 200 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre at the time of planting. Credit will be given under practice 1 for the application of this material if applied in accordance with specifications for such practice. At least 1,000 plants per acre must be planted after the land has been prepared to a good state of cultivation. It will be necessary for the kudzu to be cultivated until the ground is covered by the vines. There must be a survival of 500 evenly distributed plants per acre.

8. **Seeding adapted varieties of alfalfa**—\$1.50 per acre.—The minimum rate of seeding is 20 pounds per acre and seed must be inoculated. The land must be prepared in accordance with good farming practices well in advance of planting time and be maintained in a good state of cultivation. Superphosphate or lime, or both, must be applied where there is a known deficiency of these materials. Credit will be given for applying such materials under practice 1 or 2 whichever is applicable if applied in accordance with specifications for such practice.

9. **Seeding common ryegrass, annual or biennial sweetclover, red clover, Persian clover, Alyce clover, black medic, or orchard grass**—75 cents per acre.—The minimum seeding rates per acre are as follows:

Black medic (where adapted)—10 pounds.

Common ryegrass—20 pounds.

Sweetclover—20 pounds.

Orchard grass (where adapted)—15 pounds.

Red clover (where adapted)—10 pounds.

Persian clover—15 pounds.

Alyce clover—15 pounds.

These rates of seeding are for clean seed. Where seed containing trash or other foreign material is used, the rate will be increased to compensate for the trash or foreign material. Black medic must be planted only on alkaline or neutral soils. Lime must be applied on acid soils. Biennial sweetclover must be seeded on lime soil or where sufficient lime has been added to warrant good growth. Orchard grass should be used only in the central and northern parts of the State. Red clover will be used only in the northern part of the State where sufficient lime is either available in the soil or is applied and only upon farms approved by the county committee. No credit will be given for carrying out this practice in 1941 on land on which practice 11 or 14 is carried out in 1941 or under previous programs. Credit will not be given for seeding more than one of the above crops on the same land. Credit will be given for the applica-

tion of lime under practice 1 if applied in accordance with specifications for such practice.

10. Seeding white clover or Ladino clover—\$1.50 per acre.—The land must be prepared well in advance of planting time to form a good firm seedbed. The seed must be inoculated and seeded alone at the minimum rate of 6 pounds per acre and by October 15, 1941, if seeded in the fall and by March 31, 1941, if seeded in the spring.

FERTILIZATION: At least 300 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre and worked into the soil prior to seeding. On acid soils at least 1,000 pounds of ground limestone must be applied per acre. Credit will be given for the application of the lime and phosphate under practice 1 or 2 if applied in accordance with the specifications for such practice.

Pasture

11. Establishment of permanent pasture by planting sod pieces of Bermuda grass—\$3.00 per acre.—Establishing of permanent vegetative cover under this practice may be done on cropland or non-cropland. Land to be sodded must be prepared as for seeding a permanent pasture, and the sodding must be done either in contour furrows not more than 3 feet apart and 3 feet in the furrow, with special precautions to provide a furrow deep enough and wide enough to provide for good lodging of the sod and adequate covering, or by broadcasting sod pieces on the land that has been disked or broken, and be followed by plowing to properly cover the sod pieces. This sodding may be done at the same rate of sod pieces in row crops. The seeding of grasses and legumes as provided in practice 8, 9, 12, or 14 will not be done during the same year in which the sodding is established. A liberal application of complete fertilizer or manure should be made. A permanent vegetative cover shall not be deemed to have been established until 75 percent of the sod pieces show healthy growth.

12. Overseeding on base pasture grasses adapted to the county—10 pounds of seed \$1.50. [This practice is applicable only to land that has a good stand of perennial grasses.] The following plants must be used in mixtures at the indicated rates:

Annual lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds, or

Bur-clover—15 pounds in bur seeded with 15 bushels manure.

These crops are to be sown during the same year and during their accepted seeding season. No credit will be given either for using any of these seed alone or for carrying out this practice on the same land on which either practice 4, 9, 11, or 14 is carried out in 1941. Where there is a known deficiency of lime or phosphate, an application of 1,000 pounds of lime or 300 pounds of 16 percent superphosphate (or their equivalents) must be applied. Credit will be given for the application of superphosphate or lime under practice 1 or 2 if applied in accordance with the specifications for such practice.

13. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents

per acre.—Pastures shall consist of a mixture of perennial grasses and pasture legumes and shall be mowed twice each year or more often, if necessary, to control weeds, shrubs, bushes, etc. The plants mowed are not to be used either for feeding purposes or sold for any purpose. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

14. Seeding of designated permanent pasture mixtures—\$3.00 per acre.—Permanent pasture must be established by making seedings of one of the following mixtures of perennial grasses and clovers. Where there is a known deficiency of lime or phosphate, an application of at least 1,000 pounds of lime or 300 pounds of 16 percent superphosphate (or their equivalents) must be made. Credit will be given for the application of the superphosphate and lime under practice 1 or 2 if applied in accordance with the specifications for such practice.

(a) The following mixture will be acceptable in all parts of the State:

Bermuda grass—5 pounds (hulled seed).

Lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds or

Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(b) The following mixture may be used only on creek bottom sandy loam soils of the southern part of the State:

Carpet grass—10 pounds.

Lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds or

Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(c) The following seedings are suitable and acceptable to most of the upland and medium fertile soils throughout the State:

Bermuda grass—3 pounds (hulled seed).

Dallis grass—5 pounds.

Lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds or

Bur-clover—15 pounds in bur seeded with 15 bushels manure.

(d) The following seedings will be acceptable if approved by the county committee for the farm prior to carrying out the practice:

Orchard grass—12 pounds or

Kentucky bluegrass—8 pounds, or both where necessary.

Lespedeza—8 pounds.

Hop clover—3 pounds.

White clover—2 pounds or

Bur-clover (where adapted)—15 pounds seeded with 15 bushels manure.

15. Development of noncrop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.—(a) The noncrop open pasture land to qualify under this practice must have prior approval of the county committee and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species and the original condition of the area must

be such that a satisfactory sod could not be established or the area mowed without the removal of the brush, vines, trees, and loose stones. Any such clearing as is needed will need be done between December 1, 1940, and March 31, 1941, so that the area may be sodded or seeded during the 1941 program year.

(c) The area approved under this practice must also be seeded or sodded in accordance with specifications for practice 11 or 14. Credit for such seeding or sodding will be given under practice 11 or 14 if carried out in accordance with specifications for such practice.

(d) At least 300 pounds of 16 percent superphosphate (or its equivalent) per acre must be applied and in all cases at least 1,000 pounds of ground limestone must also be applied if the pH of the soil is below 6. Credit will be given for the application of lime or phosphate under practice 1 or 2 if applied in accordance with specifications for such practice.

(e) The area approved must be adequately fenced by the time the pasture is established.

Erosion Control

16. Construction of terraces and outlets on cropland or fenced noncrop open pasture land—200 linear feet of terrace \$1.50.—(a) **SLOPE:** Terraces constructed on cropland with slopes from 3 to 8 percent will qualify, and in addition, slopes up to 12 percent in the limestone area in the gravelly phases and in black land of southwest Arkansas may be terraced. Small areas with slopes in excess of the above may be terraced where it is necessary to include such area to complete the terrace system for the field.

(b) **VERTICAL DISTANCE:** The maximum vertical distance between terraces is determined by adding 2 to the slope in percent and dividing by 2. A tolerance of 6 inches will be allowed.

(c) **FALL:** The maximum fall for terrace channels should be 4 inches per 100 linear feet. A variable fall is recommended for terraces of more than 400 feet in length.

(d) **WIDTH AND HEIGHT:** The ridge-type terrace for the more gentle slopes should not be less than 18 feet wide measured from the center of the water channel above the terrace to the edge of the bank below the terrace. The settled height shall not be less than 18 inches from the bottom of the water channel to the top of the terrace. All measurements are to be made at the narrowest part of the terrace, and at the lowest points in the ridge.

For steeper slopes, the channel-type terrace (a shallow V-shaped ditch, with all earth moved to form a ridge on the lower side) should be used and may be used on all slopes adapted to terracing. The channel shall be not less than 12 feet wide on the steeper slopes, and 16 feet wide on the more gentle slopes, measured from the crest to the upper side of the cut, and the depth of the channel shall be not less than 16 inches at the bottom of the V-cut.

(e) **OUTLETS:** Proper terrace outlets must be constructed. Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture

strip should be developed for outlet control. Where the above conditions are not possible, or practical, a sodded channel must be established. The outlet ends of all terrace channels shall be protected by the use of adapted vegetative strips, rocks, or other suitable impediments.

(f) Contour cultivation must be practiced on all fields where terraces are constructed after December 1, 1940, for soil-building practice payment, as a prerequisite to any soil-building payment which might be made on a field so terraced.

Percent slope	Vertical fall between terraces (feet)	Horizontal distance between terraces (feet)	Minimum base width (feet)	Settled effective height (inches)	Linear feet per acre
2	2.5	125	22	18	348
3	2.75	92	22	18	475
4	3.00	75	20	18	580
5	3.25	65	20	18	670
6	3.5	58	18	18	750
7	3.75	54	18	18	810
8	4.00	50	18	18	870
9	4.25	47	16	18	910
10	4.50	45	16	18	968

(g) **VARIABLE GRADE OF TERRACES:** Terraces should be laid off on variable grade from 0 to 4 inches per 100 linear feet. The first 300 to 400 feet should be level. The second 300 to 400 feet should have 1-inch fall per 100 linear feet; the third 300 to 400 feet should have 2-inch fall per 100 linear feet; the fourth 300 to 400 feet should have 3-inch fall per 100 linear feet. The fifth, or outlet, 300 to 400 feet should not exceed 4-inch fall per 100 linear feet. The maximum length of terrace in one direction should not exceed 1,600 feet.

17. Strip cropping with alternate strips of close-grown crops and intertilled crops—35 cents per acre.—Erosion-resisting strips may be planted either to kudzu or broadcast seedings of alfalfa, annual lespedeza, lespedeza sericea, crotalaria, winter legumes alone or in combination with small grains, small grains, cowpeas in combination with sorghum or Sudan*grass, sorghum, Sudan grass, or other dense-growing crops.

(a) Strips shall be laid off with an accurate terrace level on terrace spacings recommended in practice 16.

(b) Strips of either erosion-resisting or erosion-permitting crops shall not be less than 20 feet nor more than 100 feet wide.

(c) On slopes up to 4 percent at least 25 percent of the total area shall be in protective cover; on slopes from 4 to 10 percent at least $33\frac{1}{3}$ percent; and on slopes above 10 percent at least 50 percent of the total area. Slopes in excess of 4 percent must be terraced.

Credit will be given for this practice only in the years in which the strips of erosion-preventing crops are established.

18. Contour ridging noncrop open pasture land on slopes up to 6 percent—\$1.50 per acre.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacings must not exceed 15 feet.

(c) Ridges should be constructed by plowing two or more rounds, leaving an unbroken strip or balk between the ridges, the balk to be broken out with a disk, double shovel, cultivator or other implement designed to construct a flat-bottomed furrow at least 12 inches in width at the bottom. Width of plowed area must not be less than 3 feet on either side of the balk.

(d) Contour ridges must be constructed with the ends curved up the slope. Such ridge must not cross gullies, but the ends must be curved up the slope to direct water away from the gully.

19. Contour ridging noncrop open pasture land with a slope in excess of 6 percent—15 cents per 100 linear feet.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacing must not exceed 30 feet.

(c) Contour ridges should be of the broad base type—6 to 10 feet in width—and should be constructed by plowing at least six furrows (three rounds) of soil together with an 8-inch or larger turning plow. It will likely require more than one plowing to complete the ridge.

(d) The ridge for the gentler slopes (6–12 percent) will not be less than 10 feet and on the steeper slopes (over 12 percent) not less than 6 feet in width measured from the center of the water channel above the ridge to the edge of the bank below the ridge. The settled height shall not be less than 12 inches from the bottom of the water channel to the top of the ridge. All measurements are to be made at the narrowest part of the ridge and at the lowest points in the ridge.

(e) Contour ridges must be constructed with the ends curved up the slope. Such ridges must not cross gullies but the ends must be curved up the slope to direct water away from the gully.

Green Manure and Cover Crops

20. Green manure and cover crops of legumes, common ryegrass, oats, rye, or barley, or a mixture of winter legumes and oats, rye, or barley—\$1.50 per acre.—Credit will not be given for lespedeza, peanuts, soybeans harvested by mechanical means, or any other crop for which credit is given under any other practice in 1941. A summer legume turned under on land subject to erosion must be followed by a winter cover crop. Crops such as vetch, Austrian winter peas, bur-clover, crimson clover, cowpeas, common ryegrass, mung beans, soybeans, and fall-sown small grains may qualify. A good stand and good growth must be obtained and left on the land or turned under. A good growth means a growth which, if harvested for hay, would make approximately $\frac{2}{3}$ ton per acre of air-dry material.

21. Cowpeas, velvetbeans, crotalaria, or soybeans, interplanted or grown in combination with intertilled row crops—30 cents per acre.—If the legume is planted in the row with an intertilled crop, it must be planted at the time the intertilled crop is planted. If

planted in alternate rows of not less than 3 feet apart, it must be planted early enough to assure a good growth. Legumes broadcast or drilled in middles of normal width rows (3 to 4 feet) will not qualify for this practice. Soybeans harvested for seed by mechanical means will not qualify. A good stand and good growth must be obtained and the vines not harvested. A good growth means approximately $\frac{2}{3}$ ton per acre of air-dry material.

Forestry

22. Planting forest trees—\$3.00 per acre.—(a) **TIME OF PLANTING:** Planting to be done between December 1, 1940, and March 31, 1941.

(b) **KIND OF TREES:** Loblolly or shortleaf pine, red or Ozark white cedar, black locust, yellow poplar, white or green ash, red or white oak, hackberry, catalpa, sweetgum, cottonwood, Osage-orange, cypress, to be planted pure. One to three-year-old seedlings or transplant stock is to be used.

(c) **NUMBER AND SPACING:** Not less than 1,000 trees per acre must be planted in forest plantations. This ordinarily calls for spacing of about $6\frac{1}{2}$ by $6\frac{1}{2}$ feet.

(d) **METHOD OF PLANTING:** Sod if present should be removed over 18-inch square, and in center ample holes must be dug to take all roots without curling main taproot and soil must be drawn into hole and trees set tight in ground by thoroughly packing the soil around roots.

(e) **PROTECTION:** The plantings must be adequately protected against injury from fire and livestock.

(f) **SATISFACTORY SURVIVAL:** Satisfactory survival shall be 700 trees per acre for forest plantations. Trees purchased from a State nursery may qualify under this practice.

(g) **CULTIVATION:** Hardwoods must be cultivated during the first growing season so as to prevent competition from weeds and grass. Pines must be cultivated the first season where such cultivation is needed to protect the trees from weeds and grass and to conserve moisture.

23. Construction of firebreaks for the protection of farm woodland—10 cents per 100 linear feet of firebreak constructed.—(Applicable only in the following counties: Ashley, Calhoun, Cleburne, Izard, Logan, Perry, and Sevier.) The land to qualify under this practice must have prior approval of the county committee. The firebreaks must be at least 6 feet wide and cleared to mineral soil of all inflammable material. The woodland areas must be divided into blocks of not more than 20 acres each by firebreaks. The area around which the firebreaks are constructed must be unburned during the year for which payment is made. Areas qualifying for payment under practices 22, 24, and 25 will not qualify.

24. Improving a stand of forest trees—\$3.00 per acre. (Applicable only in Bradley, Craighead, Dallas, Ouachita, and Pike Counties.)—(a) The county committee must approve the area on the farm on which this practice is to be carried out prior to the institution of the practice.

(b) The county committee shall not approve such practice unless the area on which it is to be carried out is unprotected from fire and has dead, diseased, insect-infested, crooked, and limby trees or

undesirable species which need removing, and when removed will leave in excess of 100 potential timber trees of desirable species at least 6 inches in diameter per acre or 200 trees at least 3 inches in diameter per acre well distributed over the area.

(c) All dead, diseased, insect-infested, crooked, limby, and undesirable species which will not produce forest products, and which are interfering with the growth of desirable trees shall be removed. To qualify under this practice, the woodland area protected must be unburned during the year for which payment is made and must be protected from adjoining grassland and woodland by a firebreak at least 6 feet wide, cleared to mineral soil of all inflammable material or a natural barrier such as a road or stream. Woodland areas must be divided into blocks of not more than 20 acres by such a firebreak.

(d) A given area may qualify for payment under this practice only one time in each 5-year interval.

25. Cultivating, protecting, and replanting if necessary, a good stand of hardwood trees, planted between January 1, 1940, and November 30, 1940—\$1.50 per acre.—(a) Seriously competing growth must be removed by cultivation at least twice during the summer.

(b) A stand composed of not less than 700 trees per acre must be maintained, by replanting to original stocking if necessary, such replanting to take place between December 1, 1940, and March 31, 1941.

(c) The trees must be protected adequately to prevent damage by fire and livestock.

Orchards

26. Setting peach and apple trees on the contour where the slopes are in excess of 4 percent—\$1.50 per acre.—The county committee must approve the use of this practice for the farm before the practice is executed for such practice to qualify for payment. The contour lines for setting the trees will be laid off with an accurate terrace level at the regular terrace interval. A row of trees will be set on each such contour line. Additional trees may be set at the regular spacing to cover the remaining area. The land should be terraced before the trees are set. All cultivation, seeding of cover crops, and any turning of the land must be on the contour during the year in which such settings are made to qualify for payment. All roads and turnrows through the orchard must be blocked in such a way as to prevent the starting of gullies.

27. The removal of diseased or uneconomical apple trees which normally produce fruit—not to exceed \$15.00 per acre.—This practice must be approved for the farm by the county committee before the practice is put into execution on the farm. Only live permanent trees may be removed and counted for payment. Filler, semipermanent, or dead trees will not be counted for payment even though removed from the orchard. Land so cleared shall not be used for the growing of either special crops or any other soil-depleting crop. Not more than \$15.00 per acre can be earned under this practice at the following rates per tree:

For trees less than 5 inches in diameter—no payment.

For trees 5 to 12 inches in diameter—30 cents per tree.

For trees over 12 inches in diameter—50 cents per tree.

Home Gardens

28. Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 a garden.—(a) There must be at least one-fourth acre or one-tenth acre of garden for each member of the family (excluding sweetpotatoes).

(b) The garden (excluding sweetpotatoes) shall be in not more than two pieces of ground and must be devoted to vegetables throughout the year. At least 10 different vegetables must be produced, which may include roasting ear corn, crowder or field peas, tomatoes, and sweetpotatoes grown outside the garden. Two or more families on the same farm may combine their gardens into a common area. Suggested basic vegetables include sweetpotatoes, Irish potatoes, collards, turnip greens, turnip roots, snap beans, crowder or field peas, lima beans, cabbage, tomatoes, onions, and okra.

(c) The garden area must be adequately protected from livestock and the soil must be properly plowed and worked before seeding, and must be kept free from weeds and in a good state of cultivation after planting.

(d) Spring planting of garden vegetables must be completed by June 1. Successive plantings should be made throughout the year, with late plantings completed in time for harvest of the vegetables before killing frosts.

(e) An effort must be made to control insect pests.

Section 8. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments.—(1) The net payment or net deduction computed for any farm with respect to cotton, wheat, rice, tobacco, or commercial vegetables, shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, planted diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons

would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton the the farm in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton, wheat, rice, tobacco, and commercial vegetable allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices.—The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions.—If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 9. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$12.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	(1)
\$31.00 to \$31.99	10. 20	\$200.00 and over	(2)

¹ Increase to \$200.00.

² No increase.

Section 10. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Arkansas shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorgani-

zation, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 11. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county.—The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 7 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State.—The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 12. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 13. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 14. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program.—All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or re-

quired to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the Government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but sub-

stantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved;

provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms.—No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures.—No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims.—Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940

had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments.—Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage.—Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage

for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment.—Notwithstanding the deduction provisions of sections 1 through 5, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage

will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 15. APPLICATION FOR PAYMENT

A. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 8, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required.—Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms.—If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 16. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) Eligibility to file an application for payment; (b) any cotton, wheat, rice, tobacco, or commercial vegetable allotment, or soil-building allowance; (c) the division of payment, or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request

for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 17. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program) —

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other lands included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord or owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof,

and in the case of rice also means a person furnishing water for a share of the rice.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, wheat, rice, tobacco, and commercial vegetable acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

(11) **The "B" area of Arkansas** means the following counties: Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Izard, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph (Area I), Saint Francis, Saline, Scott, Searcy, Sebastian, Sevier, Union, Van Buren, White, Woodruff, and Yell.

Section 18. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in the "B" area of Arkansas in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds.—The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability.—The provisions of this handbook (except sections 10 and 14A) are applicable only to farms in the "B" area of Arkansas, but such provisions are not applicable to (1) any depart-

ment or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture; or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

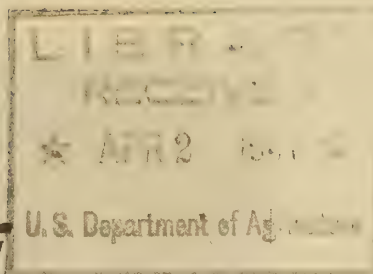
This publication contains the provisions of the handbook approved by the Acting Administrator on November 19, 1940, and the supplements thereto.

I. W. DUGGAN,
Director, Southern Division.



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SRB-501-FLA.



Florida Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION



**Program effective from January 1, 1941
to December 31, 1941**



Issued January 1941



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

FOREWORD

The 1941 Agricultural Conservation Program in Florida is a continuation of the conservation program which has been in effect for the last five years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

In addition to the above program, there are other provisions in the national program for agriculture to supplement the agricultural conservation program which apply to Florida.

- (1) Loans are provided for cotton and tobacco under certain conditions.
- (2) Marketing quotas are in effect for flue-cured tobacco in 1941.
- (3) Farmers, on December 7, 1940, voted in favor of marketing quotas for cotton for the 1941-42 cotton marketing year.
- (4) Parity payments are provided for cotton and tobacco under certain conditions.
- (5) Marketing agreements may be used to meet certain conditions for special crops.
- (6) Payments for sugarcane for sugar are not provided for in the agricultural conservation program, but are provided for under a separate program, as determined by act of Congress.
- (7) There is a special program for celery in Manatee, Marion, Palm Beach, Sarasota, and Seminole Counties, the provisions of which are the same as contained in this handbook, except that there are special provisions for celery.

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FLORIDA HANDBOOK

1941 Agricultural Conservation Program

Section 1. COTTON

A. Farm allotments.—The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county—of the farm's cropland, excluding the acreage normally devoted to tobacco and sugarcane for sugar, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) Any part of the cotton allotment apportioned under the above provisions to any farm which the operator releases to the county committee, because it will not be planted to cotton in 1941, shall be deducted from the allotment to such farm and the acreage so deducted may be apportioned to other cotton farms in the State, preference being given to farms in the same county receiving allotments which are inadequate and not representative in view of the past production of cotton on each farm. The cotton allotment for any farm shall not be increased to more than 40 percent of the tilled acreage. The county office will provide a release form to be used by farmers releasing cotton acreage.

(6) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county will not exceed the approved county normal yield.

C. Payments.—The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm in 1941 shall not be eligible for any payment on that farm or any other farm or turpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

Section 2. TOBACCO

A. Farm allotments.—An allotment for flue-cured or Georgia-Florida Type 62 tobacco shall be determined for each farm on which such kind of tobacco was produced in one or more of the 5 years 1936-40.

In the case of flue-cured tobacco, the farm allotments for 1941 shall be the same as the 1940 allotments.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for

the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured tobacco allotment may, in the case of violation of marketing quota regulations for the 1940-41 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

In the case of Type 62 tobacco, acreage allotments for farms on which Type 62 tobacco was produced in one or more of the 5 years 1936-40 shall be determined on the basis of the acreage allotments determined for the farms in 1940, with such adjustments as will take into account changes since 1939 in the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936-40 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved county normal yield.

C. Payments.—The payment is **0.8 cent** in the case of flue-cured, and **1 cent** in the case of Georgia-Florida Type 62, for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.

D. Georgia-Florida Type 62 acreage.—Each acre of Georgia-Florida Type 62 tobacco harvested shall be considered as eight-tenths ($\frac{8}{10}$) of an acre harvested if—

(1) An average of at least four top leaves is left on each stalk on all of the acreage of Type 62 tobacco grown on the farm in 1941 and all such stalks are cut within 7 days after harvesting of the other

leaves is completed and either left on the land for the remainder of 1941 or plowed under, and

(2) A cover crop of sorghum, cowpeas, velvetbeans, or crotalaria, or any mixture of these, is seeded in 1941 on all land from which Type 62 tobacco is harvested and a reasonably good stand and good growth of such cover crop is attained and is plowed under or disked in before December 31, 1941, after it has attained at least 3 months' growth, provided such cover crop shall not qualify for a soil-building practice payment regardless of how used.

Section 3. PEANUTS

[Applicable to all farms in the following counties: Alachua, Baker, Bay, Bradford, Calhoun, Citrus, Columbia, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hernando, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Okaloosa, Santa Rosa, Sumter, Suwannee, Taylor, Union, Wakulla, Walton, and Washington.]

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine peanut allotments for farms on the basis of the acreage of peanuts for market customarily grown on the farm, as reflected in the average acreage of peanuts grown on the farm for market in one or more of the years 1938, 1939, and 1940, with adjustments for tillable acreage, taking into consideration other special crop acreage allotments determined for the farm.

Acreage allotments may also be determined for farms on which peanuts will be grown for market in 1941 for the first time since January 1, 1938, on the basis of the tillable acreage available for the production of peanuts, taking into consideration other special crop acreage allotments determined for the farm, the peanut-producing experience of the operator, crop-rotation practices, physical factors affecting the production of peanuts for market, type of soil, and topography. If the acreage of peanuts planted for market in 1941 on any such farm is less than the 1941 peanut allotment, the allotment shall be reduced to the acreage planted to peanuts for market.

The peanut allotments determined for the farms in a county shall not exceed their proportionate part of the county allotment.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal yield of peanuts for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for all farms in any county shall not exceed the approved county normal yield.

C. Payments.—The payment is **11¼ cents** for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of **\$1.50** for each 100 pounds of the normal yield of the excess acreage.

D. Peanuts for market means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any

peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

Section 4. IRISH POTATOES

A. Farm allotments.—In Alachua, Bradford, Broward, Clay, Dade, DeSoto, Escambia, Flagler, Lee, Putnam, Saint Johns, and Union Counties, designated as commercial potato counties, the county committee, with the assistance of other local committees, shall determine a potato allotment for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county potato allotment.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal yield for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for **all** farms in any county shall not exceed the approved county normal yield.

C. Payments.—The payment is **2.3 cents** for each bushel of the normal yield for each acre in the potato allotment, or, if the acreage of potatoes is less than 80 percent of the farm's potato allotment, for an acreage equal to 125 percent of the acreage of potatoes, unless the county committee finds that the acreage of potatoes is less than 80 percent of the allotment because of flood or drought. For farms in the counties listed in subsection A, there shall be a deduction at the rate of **30 cents** for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

D. Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (1) when grown in home gardens for use on the farm, and (2) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the producer, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

Section 5. COMMERCIAL VEGETABLES

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is determined to be 3 acres or more in the following counties, designated as commercial vegetable counties:

Alachua, Bradford, Brevard, Broward, Charlotte, Collier, Dade, DeSoto, Flagler, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, In-

dian River, Lake, Lee, Levy, Martin, Okeechobee, Orange, Osceola, Polk, Putnam, Saint Johns, Saint Lucie, Sumter, Union, and Volusia.

The allotment shall be determined on the basis of the 1936-1937 average acreage or the average of a later period adjusted to the 1936-1937 level, with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the county, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the 1936-1937 county average acreage of commercial vegetables.

B. Payments.—The payment is **\$1.30** for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (2) cowpeas, black-eyed peas, watermelons, sweetpotatoes, cantaloupes, bulbs and flowers, and ferns; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

Section 6. DOUBLE CROPPING, INTERPLANTING, STRIP CROPPING, ETC.

(1) If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.¹

(2) If peanuts (or commercial vegetables or potatoes) and another crop that is ordinarily intertilled (including cotton, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of peanuts (or commercial vegetables or Irish potatoes) are less than twice the normal width

¹It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as devoted to one or more special soil-depleting crops.

for planting the crop alone in the county, all of the land shall be considered as planted to peanuts (or commercial vegetables or Irish potatoes). If the rows or strips of peanuts (or commercial vegetables or Irish potatoes) are at least twice the normal width, only that part of the land that is actually occupied by peanuts (or commercial vegetables or Irish potatoes) shall be considered as planted to peanuts (or commercial vegetables or potatoes), provided that if cotton and peanuts are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton, and in addition each row of peanuts shall be considered to occupy a strip of land 2 feet in width.¹

(3) If a special crop and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to the special crop if the rows or strips of the special crop are less than $13\frac{1}{2}$ feet apart; if the rows or strips of the special crop are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

(4) If a special crop is planted in commercial orchards, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

Section 7. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In Florida, where no total soil-depleting allotments will be established under the 1941 program, a deduction of \$5.00 shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than 20 percent of the cropland on the farm in all counties, except the following counties in which such percentage shall be 30 percent: Alachua, Baker, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Hillsborough, Jefferson, Lafayette, Lake, Levy, Madison, Pasco, Pinellas, Polk, Sumpter, Suwannee, Taylor, and Union. Such deduction shall apply only to farms having a cotton, tobacco, peanut, or potato allotment.

The following crops, **except those seeded in the fall of 1941**, when grown and cared for in a workmanlike manner on cropland, will count toward meeting this requirement:

1. Biennial or perennial legumes, perennial grasses, common ryegrass, or Natal grass.
2. Lespedeza, crotalaria, cowpeas, velvetbeans, or sweetclover.
3. Soybeans from which seed is not harvested by mechanical means.
4. Green manure crops meeting specifications for soil-building practice 13.
5. Winter legumes **other than those seeded in the fall of 1941**.
6. Small grains seeded in the fall of 1940 which are (1) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay in the spring of 1941, (2) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (3) used as a green manure crop, or (4) grazed and not harvested for grain or hay.
7. Forest trees planted on cropland under the 1940 or 1941 program **other than those planted in the fall of 1941**.

¹ See footnote on page 6.

Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but any particular crop will count under only one of the above items. Acreages of these crops interplanted with intertilled row crops, such as cotton and corn, shall not qualify.

Cropland on which approved terraces are constructed under the 1941 program and on which no crop other than one or more of the erosion-resisting or soil-conserving crops listed in this section are grown in 1941 will count toward meeting the minimum requirement. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 12, the acre will count as 3 acres toward meeting the minimum requirement.

Section 8. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal.—The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals.—The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals.—Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm to conserve and improve soil fertility and prevent erosion, and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance.—The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of items (1), (2), (3), and (4) below:

(1) **70 cents** per acre of cropland in excess of the sum of the allotments for cotton, tobacco, peanuts, and Irish potatoes for which payments are computed;

(2) **\$1.35** per acre of commercial orchards on the farm on January 1, 1941;

(3) **25 cents** per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 15 or 16, not to exceed **\$15.00**.

If for any farm the sum of the maximum payments computed for cotton, tobacco, peanuts, Irish potatoes, and commercial vegetables,

and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

Deductions for failure to maintain practices under previous programs.—Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes or grasses seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices.—The soil-building practices listed below, if included in the county soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from January 1, 1941 to December 31, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. Application of the following materials to, or in connection with the seeding of perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, Natal grass, common ryegrass, or permanent pasture.

(a) **48 pounds of available phosphate (P_2O_5)**—\$1.50. Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or one bag containing not less than 100 pounds of triple superphosphate furnished by the AAA.

(b) **500 pounds of basic slag**—\$1.50.

(c) **600 pounds of raw rock or colloidal phosphate** containing not less than 28 percent of total phosphorus pentoxide (P_2O_5) and ground fine enough for 85 percent to pass through a 200-mesh sieve—\$1.50.

(d) **750 pounds of raw rock or colloidal phosphate** containing not less than 18 percent of total phosphorus pentoxide (P_2O_5) and ground fine enough for 80 percent of the raw rock to pass through a 100-mesh sieve, and for the colloidal phosphate to shake through a 6-mesh sieve and 85 percent of it to wash through a 325-mesh sieve—\$1.50.

The material must be evenly distributed. In the case of lespedeza seeded alone, winter legumes, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after June 15. The crops to which the material is applied must not be seeded or grown with an intertilled crop. Winter legumes seeded in row-crop middles are considered as being grown alone. The material may be applied to volunteer crotalaria, Natal grass, or lespedeza if the application is made between January 1 and July 15. Credit will not be given for the application of phosphate to crotalaria, Natal grass, or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve. East and south of the Suwannee River, this practice is not to be used oftener than once every third year on pastures. The maximum payment shall not exceed \$4.50 per acre.

2. Application of:

(a) **1 ton of ground dolomitic limestone**—\$3.50.

(b) **1 ton of other ground limestone (or its equivalent)**—\$2.50.

The limestone must be 90 percent or more calcium carbonate equivalent; if limestone of lower grade than this is used, it must be applied in amounts sufficient to supply calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone
- 1,400 pounds of hydrated lime
- 2,000 pounds of ground oyster or coquina shells
- 3,000 pounds of limestone from Braden Quarries

The ground limestone, oyster shells, and coquina shells must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve.

3. Application of not less than 2 tons, air-dry weight, of straw or equivalent mulching materials (excluding barnyard and stable manure) per acre in orchards or on commercial vegetable land—\$1.50 per acre. The following materials are considered the equivalent of **2 tons, air-dry weight, of straw**:

- 1½ tons crotalaria or other hay-dry legumes
- 2 tons air-dry muck
- 2 tons leaves (pine needles excluded)
- 18 tons hyacinths (green basis)

Producers who expect to use this practice shall notify the county committee prior to the carrying-out of this practice and shall substantiate work done by such supporting data as are required by the county committee.

Seedings

4. **Seeding annual lespedeza**—\$1.00 per acre.—Annual lespedeza must be seeded at not less than 25 pounds per acre and not later than March 31, 1941. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

5. **Seeding lespedeza sericea**—\$1.50 per acre.—(This practice is not applicable to the counties lying east and south of Madison County.) The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Lespedeza sericea must be inoculated in all cases, and where there is a known deficiency of either phosphate or lime, this material must be applied. The application of either superphosphate or lime will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

6. **Seeding winter legumes**—\$1.50 per acre.—(This practice is not applicable to the counties lying east and south of Madison County.) The seedings must be at not less than the following rates per acre:

Austrian winter peas—30 pounds broadcast or
20 pounds in rows.

Vetch—20 pounds broadcast or 15 pounds in rows.

Blue lupine—50 pounds.

The legumes must be artificially inoculated and 300 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre in all cases, and in addition, in fields where there is a known deficiency of lime, at least 1,000 pounds of ground limestone must be applied. (Credit will be given for the application of phosphate and limestone if applied in accordance with the specifications for practice 1 or 2.)

7. **Establishment of a permanent vegetative cover of kudzu**—\$4.50 per acre.—(This practice is not applicable to the counties lying east and south of Madison County.) The land must be in a good state of cultivation before the crowns or seedlings are planted and 200 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre at the time of planting. At least 500 crowns or seedlings must be planted per acre during the dormant season and there must be a survival of at least 300 crowns or seedlings per acre at the time performance is checked. The kudzu must be cultivated until the ground is covered by the vines. (Credit will be given for the application of phosphate if applied in accordance with the specifications for practice 1.)

Pasture

8. **Establishment of a permanent vegetative cover by planting sod pieces of Carib, centipede, Para, Bermuda, carpet, or Bahia grasses**—\$3.00 per acre.—Establishment of vegetative cover under this practice may be done on cropland or noncropland. Land to be sodded must be prepared as for seeding a permanent pasture. Sod pieces, canes, or rooted runners must be planted not more than 2½ feet apart and adequately covered. If sod pieces are broadcast at the above rate on land that has been broken or disked, sufficient plowing must be done to properly cover the sod pieces. Where adapted, 5 pounds of lespedeza should also be sown in addition to

the sodding. A permanent vegetative cover shall not be deemed to have been established until 75 percent of the sod pieces show healthy growth.

9. Seeding permanent pasture mixtures containing a full seeding of Dallis, Bermuda, carpet, or Bahia grass—\$3.00 per acre.—

(a) **Preparation:** The acreage which is to be established in pasture by the use of grass seed shall have the native wire grass, palmetto, or other vegetation removed or destroyed and all the topsoil stirred by double harrowing, or its equivalent, to prepare a seedbed. The seedbed for grass seed shall be firm and shallow rather than deep and soft.

(b) In order to receive credit under this practice, the preparation and seeding must be done in blocks or strips which can be accurately measured without extraordinary expense to the association. No blocks of less than 1 acre in area will be considered and boundary lines must be reasonably straight. Where preparation and planting is done in strips, the strips must be reasonably straight and of uniform width. Such strips must be at least five-tenths (0.5) chains (33 feet) in width and must be entirely clear of trees and shrubs to qualify under this practice.

(c) Minimum rates of seeding per acre:

(1) **Seeding grasses:** At least 10 pounds of Bermuda, carpet, Bahia, or Dallis grass, or at least 10 pounds of a mixture of these grasses.

(2) **Seeding of mixtures of grasses and legumes:** (i) At least 7 pounds of either Bermuda, carpet, Bahia, or Dallis grass, or mixtures of these grasses, and also either 5 pounds of lespedeza or 10 pounds of Alyce clover. At least 200 pounds of 16 percent superphosphate (or its equivalent) must be used per acre with this pasture mixture. (Credit will be given for the application of superphosphate if applied in accordance with specifications for practice 1.)

(ii) A mixture must be seeded per acre containing at least 7 pounds of Bermuda, carpet, Bahia, or Dallis grass, or a mixture of these grasses, and 2 pounds of the following winter-growing clovers: White clover, hop clover, Persian clover, Ladino clover, or California bur-clover, or mixtures of these clovers. The clover seed must be inoculated. The land where this pasture mixture is seeded must be fertilized with the following materials per acre: 1 ton ground limestone (or its equivalent), 500 pounds of 16 percent superphosphate (or its equivalent), and 100 pounds of muriate or sulphate of potash. The phosphate or lime will qualify under practice 1 or 2 if applied in accordance with the specifications.

10. Reseeding depleted pastures with good seed of adapted pasture mixtures—15 cents per pound of seed.—The following grasses and legumes seeded alone or in mixtures shall be used: Carpet, Dallis, or Bahia grass; White, Persian, hop, Ladino, or California bur-clover. The mixtures of grasses and legumes outlined in practice 9 will be used. The fertilizer requirements, seed inoculation, and preparation of the land is the same as for practice 9. The producer shall supply sales receipts for the kind and quantity of

grass and legume seed used, and such receipts will be required to support the performance records.

11. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.—Applicable to improved pastures of perennial grasses or perennial grasses and legumes, which must be mowed or chopped at least twice between April 1, 1941, and October 1, 1941, or more often if necessary, to control weeds, shrubs, bushes, etc. The plants mowed or chopped are to be used neither for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be removed. All bushes and shrubs must be kept off the pasture.

Erosion Control

12. Construction of standard terraces for which proper outlets are provided—100 linear feet of terrace 75 cents.—(This practice is not applicable to the counties lying east and south of Madison County.) **Planning:** The terrace system, consisting of terraces and outlets, will be planned so that the locations, direction, and length of drainage of terraces, and location of outlets will be so that the terraces will intercept all of the run-off water from the drainage area and carry it to a suitable outlet without permitting scouring action along its course of flow. In general, terraces will drain away from natural ridges to existing depressions or drainage ways and will always be as short as possible.

(a) Terraces must be constructed on variable grades as follows:

Terrace Grades

MAXIMUM FALL PER 100-FEET

Maximum terrace lengths	Outlet end	Intermediate stations	Beginning end
	<i>Inches</i>	<i>Inches</i>	<i>Inches</i>
300 feet.....	4	-----	4
600 feet.....	4	-----	3
900 feet.....	4	3	2
1,200 feet.....	4	{ 3 2 }	1

MAXIMUM FALL PER 25 FEET

300 feet.....	1	-----	1
600 feet.....	1	-----	$\frac{3}{4}$
900 feet.....	1	$\frac{3}{4}$	$\frac{1}{2}$
1,200 feet.....	1	{ $\frac{3}{4}$ $\frac{1}{2}$ }	$\frac{1}{4}$

A maximum length of 1,200 feet may be allowed for draining in one direction.

Grade changes: Grade changes in the terrace channel will be governed by:

- (1) Changes in slope which cause sharp bends in the terraces.
- (2) Field depressions causing heavy concentration of water into terrace at the point of crossing.
- (3) Erosion conditions.

Where sufficient number of grade increases are necessary to offset reduced velocity of flow in terrace channel caused by extreme adverse conditions, the outlet grade of terrace may be raised to 5 inches per 100 feet.

(b) Vertical spacing between terraces will not exceed the spacing shown in the following table:

Vertical Interval for the Spacing of Terraces

Slope of land per 100 feet	Vertical interval between terraces	Approximate horizontal distance between terraces
2 feet-----	2 feet-----	100 feet.
3 feet-----	2 feet, 6 inches-----	83 feet.
4 feet-----	3 feet-----	75 feet.
5 feet-----	3 feet, 6 inches-----	70 feet.
6 feet-----	4 feet-----	67 feet.
7 feet-----	4 feet, 4 inches-----	62 feet.
8 feet-----	4 feet, 8 inches-----	58 feet.
9 feet-----	5 feet-----	55 feet.
10 feet-----	5 feet, 4 inches-----	53 feet.

(c) **Size of terraces:** Terraces will have a minimum cross-sectional area of channel after settlement of 7 square feet. To obtain this area of cross section, a width of bank and channel of at least 15 to 20 feet and a height of terrace crest above channel bottom of 20 to 24 inches when new is required, a settled height of 15 to 18 inches being anticipated. The shape of the terrace after construction should be such that it can be easily maintained, the entire surface cultivated, and so that farm implements will operate over it without difficulty.

(d) Proper terrace outlets must be constructed. Where natural outlets (i. e., woods, native meadows, stabilized gullies, pastures, etc.) exist, terrace systems should be so planned that the terrace may outlet individually upon well protected pastures, meadows, or wooded areas. Where natural outlets are not found, a disposal area will be developed by establishing a suitable type of perennial vegetation to control water from terraces and to provide forage for farm animals. Where a disposal area is not possible or practical, a channel will be excavated and sodded to prevent washing. The outlet ends of all individual terrace channels will be protected by the use of adapted vegetative strips, rocks, temporary dams, or other suitable material. To prevent washing, it is necessary to establish vegetation in all outlets before terraces are constructed.

Green Manure and Cover Crops

13. (a) **Green manure and cover crops of legumes and winter nonlegumes**—\$1.50 per acre.—Credit will **not** be given for lespedeza, peanuts, soybeans from which the seed is harvested by mechanical means, or any other crop for which credit is given under any other practice in 1941. All the growth produced must be left on the land or plowed or disked under, and none cut for hay or grazed; if turned under on land subject to erosion, it must be followed by a winter cover crop. The following may qualify: Alyce clover, cowpeas, crotalaria, mung beans, sesbania, beggarweed, rye, oats, vetch, Aus-

trian winter peas, and blue lupine. A good stand and good growth must be obtained. A good growth means a growth which, if harvested, would make approximately $\frac{2}{3}$ ton per acre of air-dry material.

(b) **Green manure and cover crops of summer nonlegumes**—75 cents per acre.—Only summer nonlegumes in orchards or on land from which no crop other than commercial vegetables or commercial potatoes is harvested in 1941 will qualify. A good stand and good growth must be obtained and all the growth produced must be left on the land or plowed or disked under and none cut for hay or grazed. A good growth means a growth which, if harvested, would make approximately $1\frac{1}{2}$ tons of air-dry material per acre.

Practice 13 (b) is applicable only to the counties lying east and south of Madison County and in these counties the following practices will not be applicable:

5—Seeding lespedeza sericea

6—Seeding winter legumes

7—Planting kudzu

12—Terracing

14. **Cowpeas, velvet beans, alyce clover, crotalaria, mung beans, or soybeans, interplanted or grown in combination with intertilled row crops**—30 cents per acre.—A good stand and good growth must be obtained and the vines not harvested, and in the case of soybeans the seed not harvested by mechanical means. A good growth means approximately $\frac{1}{2}$ ton per acre of air-dry material (10 pounds green weight for an average plot of 100 square feet).

Forestry

15. **Planting forest trees on cropland or on farm woodlands** (farm woodlands shall in no event exceed the cropland in the farm.)

(a) **Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre**—\$4.50 per acre.

(b) **Planting at least 400 longleaf or slash pine per acre**—\$3.00 per acre.

The plantings shall be protected from fire, and from grazing by hogs, goats, and other livestock which will destroy the seedlings. The plantings shall be cared for in accordance with good tree-culture practice. The survival or stand of living trees shall not be less than 65 percent to qualify. Hardwoods must be cultivated twice during the first growing season so as to prevent competition from weeds and grass.

Trees purchased from a State nursery may qualify under this practice.

16. **Planting forest trees on fenced noncrop open pasture land not considered farm woodlands.**

(a) **Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre**—\$3.00 per acre.

(b) **Planting at least 400 longleaf pines or slash pines per acre**—\$1.50 per acre.

a. The producer shall furnish a full legal description of his property to accompany his work sheet.

b. The producer shall furnish prior to any planting, at his expense, aerial or other maps satisfactory to the county committee of the area to be planted. A map shall also be furnished of any interior holdings (giving legal description of any such area) within the fenced area that is not owned by the producer.

c. All plantings must be done in solid blocks as nearly as possible in the mapped area. On irregularly shaped plantings, only that acreage which is in blocks will qualify and irregular portions will be disregarded. Irregular blocks of less than 4 acres may be disapproved.

d. A minimum survival of 65 percent is required.

e. All planted areas must be protected from damage by sheep and goats.

f. The planted area must be protected from fire and all areas not under organized cooperative fire control with the Florida Board of Forestry must meet the following minimum requirements:

(1) Areas comprising less than 40 acres shall be surrounded by a plowed firebreak 8 feet wide, and the area divided into approximately 10-acre blocks by a plowed firebreak 8 feet wide.

(2) Areas comprising 40 acres or more shall be surrounded with a plowed firebreak 16 feet wide, and each 40 acres within such area shall be surrounded by a plowed firebreak 16 feet wide. In addition, the area within each 40-acre block shall be divided into 4 blocks of approximately 10 acres with a plowed firebreak 8 feet wide.

(3) Clean plowed firebreaks of specified width exposing the mineral subsoil are required. The fire lines shall be as straight as practicable but may deviate because of unusual ground conditions.

g. All planting and firebreak plowing shall be done in a workmanlike manner and according to good forestry methods.

h. Trees purchased from a State nursery may qualify under this practice.

Miscellaneous

17. Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 per garden.—The home garden shall be a plot of land not less than one-tenth (0.1) acre, set aside for the entire year for the production of vegetables solely for consumption on the farm. On farms where several families and several garden plots are involved, the garden plots belonging to each family must be identified. The garden must be adequately protected from damage by livestock and poultry and must be planned and cared for in a workmanlike manner. Not less than seven different kinds of vegetables must be produced during the year in the garden. Only one garden practice unit per farm family may be credited.

Section 9. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments.—(1) The net payment or net deduction computed for any farm with respect to cotton, tobacco, Irish potatoes, commercial vegetables, or peanuts shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such

determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.**—If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.**—If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton, tobacco, Irish potato, commercial vegetable, and peanut allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices.—The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions.—If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to

the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 10. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99-----	\$0. 40	\$32.00 to \$32.99-----	\$10. 40
\$2.00 to \$2.99-----	. 80	\$33.00 to \$33.99-----	10. 60
\$3.00 to \$3.99-----	1. 20	\$34.00 to \$34.99-----	10. 80
\$4.00 to \$4.99-----	1. 60	\$35.00 to \$35.99-----	11. 00
\$5.00 to \$5.99-----	2. 00	\$36.00 to \$36.99-----	11. 20
\$6.00 to \$6.99-----	2. 40	\$37.00 to \$37.99-----	11. 40
\$7.00 to \$7.99-----	2. 80	\$38.00 to \$38.99-----	11. 60
\$8.00 to \$8.99-----	3. 20	\$39.00 to \$39.99-----	11. 80
\$9.00 to \$9.99-----	3. 60	\$40.00 to \$40.99-----	12. 00
\$10.00 to \$10.99-----	4. 00	\$41.00 to \$41.99-----	12. 10
\$11.00 to \$11.99-----	4. 40	\$42.00 to \$42.99-----	12. 20
\$12.00 to \$12.99-----	4. 80	\$43.00 to \$43.99-----	12. 30
\$13.00 to \$13.99-----	5. 20	\$44.00 to \$44.99-----	12. 40
\$14.00 to \$14.99-----	5. 60	\$45.00 to \$45.99-----	12. 50
\$15.00 to \$15.99-----	6. 00	\$46.00 to \$46.99-----	12. 60
\$16.00 to \$16.99-----	6. 40	\$47.00 to \$47.99-----	12. 70
\$17.00 to \$17.99-----	6. 80	\$48.00 to \$48.99-----	12. 80
\$18.00 to \$18.99-----	7. 20	\$49.00 to \$49.99-----	12. 90
\$19.00 to \$19.99-----	7. 60	\$50.00 to \$50.99-----	13. 00
\$20.00 to \$20.99-----	8. 00	\$51.00 to \$51.99-----	13. 10
\$21.00 to \$21.99-----	8. 20	\$52.00 to \$52.99-----	13. 20
\$22.00 to \$22.99-----	8. 40	\$53.00 to \$53.99-----	13. 30
\$23.00 to \$23.99-----	8. 60	\$54.00 to \$54.99-----	13. 40
\$24.00 to \$24.99-----	8. 80	\$55.00 to \$55.99-----	13. 50
\$25.00 to \$25.99-----	9. 00	\$56.00 to \$56.99-----	13. 60
\$26.00 to \$26.99-----	9. 20	\$57.00 to \$57.99-----	13. 70
\$27.00 to \$27.99-----	9. 40	\$58.00 to \$58.99-----	13. 80
\$28.00 to \$28.99-----	9. 60	\$59.00 to \$59.99-----	13. 90
\$29.00 to \$29.99-----	9. 80	\$60.00 to \$185.99-----	14. 00
\$30.00 to \$30.99-----	10. 00	\$186.00 to \$199.99-----	(1)
\$31.00 to \$31.99-----	10. 20	\$200.00 and over-----	(2)

¹ Increase to \$200.00.

² No increase.

Section 11. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Florida shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are

made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 12. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county.—The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 8 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State.—The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 13. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 14. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such

difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 15. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program.—All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) **Practice:** A landlord or operator requires his tenant or share-cropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any

service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) Practice: A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) Practice: A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms.—No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures.—No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims.—Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments.—Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage.—Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in

which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that the cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment.—Notwithstanding the deduction provisions of sections 1 through 5, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 16. APPLICATION FOR PAYMENT

A. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 9, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required.—Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms.—If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 17. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any cotton, tobacco, Irish potato, commercial vegetable, or peanut allotment, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 18. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other lands included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on January 1, 1941 (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, tobacco, Irish potato, commercial vegetable, and peanut acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 19. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Florida in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds.—The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability.—The provisions of this handbook (except sections 11 and 15A) are applicable only to farms in Florida, but such provisions are not applicable to (1) Manatee, Marion, Palm Beach, Sarasota, and Seminole Counties, where the special Florida celery

program is in effect; (2) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (3) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (3) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

NOTICE

Listed below are the principal closing dates for the execution and filing of the necessary forms and information with respect to the 1940 and 1941 farm programs:

(a) 1940 parity payment applications must be filed in the county office by December 31, 1940.

(b) 1940 agricultural conservation payment applications must be filed in the county office by March 31, 1941.

(c) 1941 parity payment applications must be filed in the county office by December 31, 1941.

(d) 1941 agricultural conservation payment applications must be filed in the county office by March 31, 1942.

A work sheet must be filed in the county office by the operator of the farm by March 1, 1941, for all farms that have not been covered by work sheets under previous programs to be eligible for payments under the 1941 Agricultural Conservation Program.

Requests for allotments for "new" farms must be filed in the county office on or before February 15, 1941.

This printed publication contains the provisions of the handbook approved by the Acting Administrator on November 13, 1940, and of Supplement 1 thereto approved by the Acting Administrator on December 20, 1940.

I. W. DUGGAN,
Director, Southern Division.



SRB-501-Fla. Celery

Issued January 14, 1941.

FEB 14 1941

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1941 AGRICULTURAL CONSERVATION PROGRAM FOR THE
FLORIDA CELERY AREA



SOUTHERN REGION BULLETIN 501

[Applicable only in Manatee, Marion, Palm Beach,
Sarasota, and Seminole Counties, Florida]

(Program effective from January 1, 1941, to December 31, 1941)

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Payments will be made for participation in the 1941 Agricultural Conservation Program for the Florida Celery Area (hereinafter referred to as the 1941 program) in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

Section 1 Allotments, yields, payments, and deductions. Farm acreage allotments and farm normal yields shall be determined by the county committee, with the assistance of other local committees in the county, in accordance with the provisions contained herein and instructions issued by the Agricultural Adjustment Administration. The acreage allotments determined for the farms in a county shall not exceed the applicable county acreage allotments established for the county by the Agricultural Adjustment Administration, and the sum of the acreage allotments for farms with respect to which allotments are determined shall not exceed their proportionate share of the county acreage allotments. The average yield for all farms in any county with respect to any such crop shall not exceed the county average yield for the crop established by the Secretary.

(a) CELERY

(1) Farm allotments. Acreage allotments for celery shall be determined on the basis of tillable acreage, crop-rotation practices, type of soil, and topography, giving special consideration to small farms. Consideration shall also be given to the other special crop acreage allotments determined for the farm. The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to such factors.

(2) Farm normal yields. The normal yield for celery for each farm for which a celery allotment is determined or a deduction is computed shall be the yield which may reasonably be expected from the land devoted to the production of celery in 1941, with due consideration for type of soil, production practices, the general fertility of the land, and the yield customarily made on the farm.

(3) Payments. The payment is 2-1/4 cents a crate of the normal yield per acre of celery for the farm for each acre in the celery acreage allotment, or, if the acreage planted to celery is less than 80 percent of the celery acreage allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to celery, unless the county committee finds that failure to plant 80 percent of such celery acreage allotment was due to flood or drought: Provided, That the acreage on which payment is made shall not exceed the acreage on which an approved green manure crop is plowed or disked under. Such acreage of the green manure crop shall not count toward earning the soil-building allowance for the farm. If the acreage planted to celery is in excess of the allotment, there shall be a deduction at the rate of 20 cents for each crate of the normal yield of the excess acreage.

(4) Acreage planted to celery means the acreage of land set to celery for any purpose: Provided, That all or any part of any celery acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to celery on the farm, may be considered as not having been planted.

(b) FLUE-CURED TOBACCO

(1) Farm allotments. An allotment for flue-cured tobacco shall be determined for each farm on which such tobacco was produced in one or more of the 5 years 1936-1940. The farm allotments for 1941 shall be the same as the 1940 allotments.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured tobacco allotment may, in the case of violation of marketing quota regulations for the 1940-1941 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

(2) Farm normal yields. A normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed shall be determined in accordance with the following provisions:

(a) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936-1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(b) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical

factors affecting the production of tobacco are similar.

(3) Payments. The payment is .8 cent for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of 8 cents for each pound of the normal yield of the excess acreage.

(c) PEANUTS

(1) Farm allotments. In Marion County, designated as a commercial peanut county, peanut allotments shall be determined for farms on the basis of the acreage of peanuts for market customarily grown on the farm, as reflected in the average acreage of peanuts grown on the farm for market in one or more of the years 1938, 1939, and 1940, with adjustments for tillable acreage, taking into consideration other special crop acreage allotments determined for the farm.

Acreage allotments may also be determined for farms on which peanuts will be grown for market in 1941 for the first time since January 1, 1938, on the basis of the tillable acreage available for the production of peanuts, taking into consideration other special crop acreage allotments determined for the farm, the peanut-producing experience of the operator, crop-rotation practices, physical factors affecting the production of peanuts for market, type of soil, and topography. If the acreage of peanuts planted for market in 1941 on any such farm is less than the 1941 peanut allotment, the allotment shall be reduced to the acreage planted to peanuts for market.

(2) Farm normal yields. A normal yield for peanuts shall be determined for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land.

(3) Payments. The payment is 11-1/4 cents for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of \$1.50 for each 100 pounds of the normal yield of the excess acreage.

(4) Peanuts for market means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

(d) IRISH POTATOES

(1) Farm allotments. In Palm Beach County, designated as a commercial potato county, a potato allotment shall be determined for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes custom-

arily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors.

(2) Farm normal yields. A normal yield of potatoes shall be determined for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land.

(3) Payments. The payment is 2.3 cents for each bushel of the normal yield for each acre in the potato allotment, or, if the acreage of potatoes is less than 80 percent of the farm's potato allotment, for an acreage equal to 125 percent of the acreage of potatoes, unless the county committee finds that the acreage of potatoes is less than 80 percent of the allotment because of flood or drought. There shall be a deduction at the rate of 30 cents for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

(4) Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (i) when grown in home gardens for use on the farm, and (ii) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the producer, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

(e) COMMERCIAL VEGETABLES

(1) Farm allotments. An acreage allotment of commercial vegetables shall be determined for each farm on which the average acreage of land normally planted to commercial vegetables is 3 acres or more. The allotment shall be determined on the basis of the 1936-1937 average acreage or the average of a later period adjusted to the 1936-1937 level, with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the 1936-1937 county average acreage of commercial vegetables.

(2) Payments. The payment is \$1.30 for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of

\$20.00 for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

(3) Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (i) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (ii) cowpeas, black-eyed peas, watermelons, sweetpotatoes, cantaloupes, bulbs and flowers, and ferns: Provided, That all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

(f) MISCELLANEOUS

(1) Double cropping, interplanting, strip cropping, etc. (a) If peanuts (or commercial vegetables or celery or Irish potatoes) and another crop that is ordinarily intertilled (including corn or truck crops but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of peanuts (or commercial vegetables or celery or Irish potatoes) are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to peanuts (or commercial vegetables or celery or Irish potatoes). If the rows or strips of peanuts (or commercial vegetables or celery or Irish potatoes) are at least twice the normal width, only that part of the land that is actually occupied by peanuts (or commercial vegetables or celery or Irish potatoes) shall be considered as planted to peanuts (or commercial vegetables or celery or Irish potatoes). 1/

(b) If a special crop and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are in alternate rows or strips, or both, all of the land shall be considered as planted to the special crop if the rows or strips of the special crop are less than 13-1/2 feet apart; if the rows or strips of the special crop are 13-1/2 feet or more apart, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

(c) If a special crop is planted in commercial orchards, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

1/ It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as devoted to one or more special soil-depleting crops.

(2) Deduction for failure to have a minimum acreage of erosion-resisting or soil-conserving crops and land uses. In the Florida Celery Area, where no total soil-depleting allotments will be established under the 1941 program, a deduction of \$5.00 shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than 20 percent of the cropland on the farm in all counties, except that in Marion County such percentage shall be 30 percent. Such deduction shall apply only to farms having a celery, tobacco, peanut, or potato allotment.

The following crops, except those seeded in the fall of 1941, when grown and cared for in a workmanlike manner on cropland, will count toward meeting this requirement:

(a) Biennial or perennial legumes, perennial grasses, common ryegrass, or Natal grass

(b) Lespedeza, crotalaria, cowpeas, velvetbeans, or sweetclover

(c) Soybeans from which seed is not harvested by mechanical means

(d) Green manure crops meeting specifications for soil-building practice 13

(e) Small grains seeded in the fall of 1940 which are (i) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay in the spring of 1941, (ii) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (iii) used as a green manure crop, or (iv) grazed and not harvested for grain or hay

(f) Forest trees planted on cropland under the 1940 or 1941 program other than those planted in the fall of 1941.

Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but any particular crop will count under only one of the above items. Acreages of these crops interplanted with intertilled row crops, such as corn, shall not qualify.

Sec. 2 Soil-building goals, payments, and practices. (a) County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county a proportion of the soil-building

allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

(b) Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm to conserve and improve soil fertility and prevent erosion, and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

(c) Soil-building allowance. The soil-building allowance which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of items (1), (2), (3), and (4) below:

(1) 70 cents per acre of cropland in excess of the sum of the allotments for celery, tobacco, peanuts, and Irish potatoes for which payments are computed;

(2) \$1.35 per acre of commercial orchards on the farm on January 1, 1941;

(3) 25 cents per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 15 or 16, not to exceed \$15.00.

If for any farm the sum of the maximum payments computed for celery, tobacco, peanuts, Irish potatoes, and commercial vegetables and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

(d) Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that forest trees planted, perennial legumes or grasses seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

(e) Soil-building practices. The soil-building practices listed below, if included in the county soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from January 1, 1941, to December 31, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will

be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the Agricultural Adjustment Administration shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

APPLICATION OF MATERIALS

1. Application of the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, lespedeza, crotalaria, Natal grass, common ryegrass, or permanent pasture:
 - (a) 48 pounds of available phosphate (P_2O_5) -- \$1.50. Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or one bag containing not less than 100 pounds of triple superphosphate furnished by the Agricultural Adjustment Administration.
 - (b) 500 pounds of basic slag -- \$1.50.
 - (c) 600 pounds of raw rock or colloidal phosphate containing not less than 28 percent of total phosphorus pentoxide (P_2O_5) and ground fine enough for 85 percent to pass through a 200-mesh sieve -- \$1.50.
 - (d) 750 pounds of raw rock or colloidal phosphate containing not less than 18 percent of total phosphorus pentoxide (P_2O_5) and ground fine enough for 80 percent of the raw rock to pass through a 100-mesh sieve, and for colloidal phosphate to shake through a 6-mesh sieve and 85 percent of it to wash through a 325-mesh sieve -- \$1.50.

SPECIFICATIONS: The material must be evenly distributed. In the case of lespedeza seeded alone and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after June 15. The crops to which the material is applied must not be seeded or grown with an intertilled crop. The material may be applied to volunteer crotalaria, Natal grass, or lespedeza if the application is made between January 1 and July 15. Credit will not be given for the application of phosphate to crotalaria, Natal grass, or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Basic slag must be ground sufficiently

fine so that a minimum of 80 percent will pass through a 100-mesh sieve. This practice is not to be used oftener than once every third year on pastures. The maximum payment shall not exceed \$4.50 per acre.

2. Application of:

(a) 1 ton of ground dolomitic limestone -- \$3.50.

(b) 1 ton of other ground limestone (or its equivalent) -- \$2.50.

SPECIFICATIONS: The limestone must be 90 percent or more calcium carbonate equivalent; if limestone of lower grade than this is used, it must be applied in amounts sufficient to supply calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone
- 1,400 pounds of hydrated lime
- 2,000 pounds of ground oyster or coquina shells
- 3,000 pounds of limestone from Braden Quarries

The ground limestone, oyster shells, and coquina shells must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve.

3. Application of not less than 2 tons, air-dry weight, of straw or equivalent mulching materials (excluding barnyard and stable manure) per acre in orchards or on commercial vegetable land -- \$1.50 per acre.

SPECIFICATIONS: The following materials are considered the equivalent of 2 tons, air-dry weight, of straw:

- 1-1/2 tons crotalaria or other hay-dry legumes
- 2 tons air-dry muck
- 2 tons leaves (pine needles excluded)
- 18 tons hyacinths (green basis)

Producers who expect to use this practice shall notify the county committee prior to the carrying-out of this practice and shall substantiate work done by such supporting data as are required by the county committee.

SEEDINGS

4. Seeding annual lespedeza -- \$1.00 per acre.

SPECIFICATIONS: Annual lespedeza must be seeded at not less than 25 pounds per acre and not later than March 31, 1941. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

5. Not applicable in the Florida Celery Area.
6. Not applicable in the Florida Celery Area.
7. Not applicable in the Florida Celery Area.

PASTURE

8. Establishment of a permanent vegetative cover by planting sod pieces of Carib, centipede, Para, Bermuda, carpet, or Bahia grasses -- \$3.00 per acre.

SPECIFICATIONS: Establishment of vegetative cover under this practice may be done on cropland or non-cropland. Land to be sodded must be prepared as for seeding a permanent pasture. Sod pieces, canes, or rooted runners must be planted not more than 2-1/2 feet apart and adequately covered. If sod pieces are broadcast at the above rate on land that has been broken or disked, sufficient plowing must be done to properly cover the sod pieces. Where adapted, 5 pounds of lespedeza should also be sown in addition to the sodding. A permanent vegetative cover shall not be deemed to have been established until 75 percent of the sod pieces show healthy growth.

9. Seeding permanent pasture mixtures containing a full seeding of Dallis, Bermuda, carpet, or Bahia grass -- \$5.00 per acre.

SPECIFICATIONS:

- (a) Preparation: The acreage which is to be established in pasture by the use of grass seed shall have the native wire grass, palmetto, or other vegetation removed or destroyed and all the top soil stirred by double-harrowing, or its equivalent, to prepare a seedbed. The seedbed for grass seed shall be firm and shallow rather than deep and soft.
- (b) In order to receive credit under this practice, the preparation and seeding must be done in blocks or strips which can be accurately measured without extraordinary expense to the association. No blocks of less than 1 acre in area will be considered and boundary lines must be reasonably straight. Where preparation and planting is done in strips, the strips must be reasonably straight and of uniform width. Such strips must be at least five-tenths (0.5) chains (33 feet) in width and must be entirely clear of trees and shrubs to qualify under this practice.
- (c) Minimum rates of seeding per acre:

(1) Seeding grasses:

At least 10 pounds of Bermuda, carpet, Bahia, or Dallis grass, or at least 10 pounds of a mixture of these grasses.

(2) Seeding of mixtures of grasses and legumes:

- (i) At least 7 pounds of either Bermuda, carpet, Bahia, or Dallis grass or mixtures of these grasses, and also either 5 pounds of lespedeza or 10 pounds of Alyce clover. At least 200 pounds of 16 percent superphosphate (or its equivalent) must be used per acre with this pasture mixture. (Credit will be given for the application of superphosphate if applied in accordance with specifications for practice 1.)
- (ii) A mixture must be seeded per acre containing at least 7 pounds of Bermuda, carpet, Bahia, or Dallis grass, or a mixture of these grasses, and 2 pounds of the following winter-growing clovers: White clover, hop clover, Persian clover, Ladino clover, or California bur-clover, or mixtures of these clovers. The clover seed must be inoculated. The land where this pasture mixture is seeded must be fertilized with the following materials per acre: 1 ton of ground limestone (or its equivalent), 500 pounds of 16 percent superphosphate (or its equivalent), and 100 pounds of muriate or sulphate of potash. The phosphate or lime will qualify under practice 1 or 2 if applied in accordance with the specifications.

10. Reseeding depleted pastures with good seed of adapted pasture mixtures -- 15 cents per pound of seed.

SPECIFICATIONS: The following grasses and legumes seeded alone or in mixtures shall be used: Carpet, Dallis, or Bahia grass; White, Persian, hop, Ladino, or California bur-clover. The mixtures of grasses and legumes outlined in practice 9 will be used. The fertilizer requirements, seed inoculation, and preparation of the land is the same as for practice 9. The producer shall supply sales receipts for the kind and quantity of grass and legume seed used, and such receipts will be required to support the performance records.

11. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing -- 50 cents per acre.

SPECIFICATIONS: Applicable to improved pastures of perennial grasses or perennial grasses and legumes, which must be mowed or chopped at least twice between April 1, 1941, and October 1, 1941, or more often if necessary, to control weeds, shrubs, bushes, etc. The plants mowed or chopped are not to be used for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be removed. All bushes and shrubs must be kept off the pasture.

12. Not applicable in the Florida Celery Area.

GREEN MANURE AND COVER CROPS

13. (a) Green manure and cover crops of legumes and winter non-legumes -- \$1.50 per acre.

SPECIFICATIONS: Credit will not be given for lespedeza, peanuts, soybeans from which the seed is harvested by mechanical means, or any other crop for which credit is given under any other practice in 1941. All the growth produced must be left on the land or plowed or disked under, and none cut for hay or grazed; if turned under on land subject to erosion, it must be followed by a winter cover crop. The following may qualify: Alyce clover, cowpeas, crotalaria, mung beans, sesbania, beggarweed, rye, oats, and blue lupine. A good stand and good growth must be obtained. A good growth means a growth which, if harvested, would make approximately 2/3 ton per acre of air-dry material.

- (b) Green manure and cover crops of summer non-legumes -- 75 cents per acre.

SPECIFICATIONS: Only summer non-legumes in orchards or on land from which no crop other than commercial vegetables or commercial potatoes is harvested in 1941 will qualify. A good stand and good growth must be obtained and all the growth produced must be left on the land or plowed or disked under and none cut for hay or grazed. A good growth means a growth which, if harvested, would make approximately 1-1/2 tons of air-dry material per acre.

14. Cowpeas, velvetbeans, Alyce clover, crotalaria, mung beans, or soybeans, interplanted or grown in combination with intertilled row crops -- 30 cents per acre.

SPECIFICATIONS: A good stand and good growth must be obtained and the vines not harvested, and in the case of soybeans the seed not harvested by mechanical means. A good growth means approximately 1/2 ton per acre of air-dry material (10 pounds green weight for an average plot of 100 square feet).

FORESTRY

15. Planting forest trees on cropland or on farm woodlands (farm woodlands shall in no event exceed the cropland in the farm).

- (a) Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre -- \$4.50 per acre.

- (b) Planting at least 400 longleaf or slash pines per acre -- \$3.00 per acre.

SPECIFICATIONS: The plantings shall be protected from fire, and from grazing by hogs, goats, and other livestock which will destroy the seedlings. The plantings shall be cared for in accordance with good tree-culture practice. The survival or stand of living trees shall not be less than 65 percent to qualify. Hardwoods must be cultivated twice during the first growing season so as to prevent competition from weeds and grass. Trees purchased from a State nursery may qualify under this practice.

16. Planting forest trees on fenced non-crop open pasture land not considered farm woodlands.

- (a) Planting at least 650 longleaf pines, slash pines, black locust, or red cedar per acre -- \$3.00 per acre.
- (b) Planting at least 400 longleaf pines or slash pines per acre -- \$1.50 per acre.

SPECIFICATIONS:

- (a) The producer shall furnish a full legal description of his property to accompany his work sheet.
- (b) The producer shall furnish prior to any planting, at his expense, aerial or other maps satisfactory to the county committee of the area to be planted. A map shall also be furnished of any interior holdings (giving legal description of any such area) within the fenced area that is not owned by the producer.
- (c) All plantings must be done in solid blocks as nearly as possible in the mapped area. On irregularly-shaped plantings, only that acreage which is in blocks will qualify and irregular portions will be disregarded. Irregular blocks of less than 4 acres may be disapproved.
- (d) A minimum survival of 65 percent is required.
- (e) All planted areas must be protected from damage by sheep and goats.
- (f) The planted area must be protected from fire, and all areas not under organized cooperative fire control with the Florida Board of Forestry must meet the following minimum requirements:
 - (1) Areas comprising less than 40 acres shall be surrounded by a plowed firebreak 8 feet wide, and the area divided into approximately 10-acre blocks by a plowed firebreak 8 feet wide.
 - (2) Areas comprising 40 acres or more shall be surrounded with a plowed firebreak 16 feet wide, and each 40 acres within such area shall be surrounded by a plowed firebreak 16

feet wide. In addition, the area within each 40-acre block shall be divided into 4 blocks of approximately 10 acres with a plowed firebreak 8 feet wide.

- (3) Clean plowed firebreaks of specified width exposing the mineral subsoil are required. The fire lines shall be as straight as practicable but may deviate because of unusual ground conditions.
- (g) All planting and firebreak plowing shall be done in a workmanlike manner and according to good forestry methods.
- (h) Trees purchased from a State nursery may qualify under this practice.

MISCELLANEOUS

17. Growing a home garden for a landlord, tenant, or sharecropper family on a farm -- \$1.50 per garden.

SPECIFICATIONS: The home garden shall be a plot of land not less than one-tenth (0.1) acre, set aside for the entire year for the production of vegetables solely for consumption on the farm. On farms where several families and several garden plots are involved, the garden plots belonging to each family must be identified. The garden must be adequately protected from damage by livestock and poultry and must be planned and cared for in a workmanlike manner. Not less than seven different kinds of vegetables must be produced during the year in the garden. Only one garden practice unit per farm family may be credited.

Sec. 3 Division of payments and deductions. (a) Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to celery, tobacco, peanuts, potatoes, or commercial vegetables shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment): Provided, That if any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with celery, tobacco, peanut, potato, and commercial vegetable allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

(b) Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

(c) Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Sec. 4. Increase in small payments. The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1.00;

(2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0.40	\$32.00 to \$32.99	\$10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	1/
31.00 to 31.99	10.20	200.00 and over	2/

1/ Increase to \$200.00.

2/ No increase.

Sec. 5 Payments limited to \$10,000. The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Florida shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Sec. 6 Deductions incurred on other farms. (a) Other farms in the same county. The net deduction computed for any landlord, tenant, or sharecropper under Secs. 1 and 2 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

(b) Other farms in Florida. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in Florida if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Sec. 7 Deduction for association expenses. There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Sec. 8 Conservation materials. Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials may be furnished by the Agricultural Adjustment Administration to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials are furnished, a deduction shall be made in an amount determined by the Agricultural Adjustment Administration on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials shall be made from payment due the person who obtained the materials on the same or any other farm in the county. In the event the amount of the deduction for materials exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary: Provided, That deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials were furnished.

Sec. 9 General provisions relating to payments. (a) Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941

Agricultural Conservation Program for the Florida Celery Area or the 1941 Agricultural Conservation Program may be withheld or required to be returned (i) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (ii) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (iii) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 Agricultural Conservation Program for the Florida Celery Area or the 1941 Agricultural Conservation Program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

<u>Practice</u>	<u>Amount to be withheld or refunded</u>
(1) A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.	The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.
(2) A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.	The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control

Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with

the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

his interest in such enterprise.

- (7) A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part

The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be with-

of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

held or recovered.

- (11) A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

(b) Idle farms. No payments, except those for carrying out soil-building practices, shall be made with respect to any farm which is not operated in 1941.

(c) Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

(d) Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection (f) of this section, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(e) Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection (e) is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

(f) Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the Agricultural Adjustment Administration and unless such assignment is entitled to priority as determined under the instructions issued by the Agricultural Adjustment Administration.

Nothing contained in this subsection (f) shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

(g) Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment under Section 344 of the Agricultural Adjustment Act of 1938 for the farm for 1941, and that cotton was not planted in excess of such cotton allotment by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment under Section 344 of the Agricultural Adjustment Act of 1938 for the farm for 1941 shall not be eligible for any payment whatsoever on that farm or any other farm under the 1941 Agricultural Conservation Program, the 1941 Agricultural Conservation Program for the Florida Celery Area, the 1941 Naval Stores Conservation Program, or the 1941 Range Conservation Program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment: Provided, That any producer will not be considered to have knowingly overplanted the cotton allotment if--

(i) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(ii) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

A notice of the cotton allotment mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that--

(i) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(ii) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment for his farm, he planted a number of acres which exceeded the cotton allotment for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment: Provided, That any producer will not be considered to have knowingly overplanted the cotton allotment if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

(h) Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of Sec. 1, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Sec. 10 Application for payment. (a) Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of Sec. 3, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

(b) Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish

any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

(c) Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Sec. 11 Appeals. Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any celery, tobacco, peanut, Irish potato, or commercial vegetable allotment, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Sec. 12 Instructions and forms. The Agricultural Adjustment Administration shall prepare and issue such instructions and forms as may be required in administering the 1941 program.

Sec. 13 Definitions. For the purposes of the 1941 program, unless the context otherwise requires:

Officials

- (1) SECRETARY means the Secretary of Agriculture of the United States.
- (2) ADMINISTRATOR means the Administrator of the Agricultural Adjustment Administration.
- (3) DIRECTOR OF THE SOUTHERN DIVISION means the person in charge of the agricultural conservation programs in the Southern Region.
- (4) STATE COMMITTEE means the group of persons designated within the State to assist in the administration of the agricultural conservation programs in Florida.
- (5) COUNTY COMMITTEE means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.

Areas

- (1) SOUTHERN DIVISION means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.
- (2) FLORIDA CELERY AREA means the following counties: Manatee, Marion, Palm Beach, Sarasota, and Seminole.

Farm

FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

- (1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and
- (2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

Miscellaneous

- (1) PERSON means an individual, partnership, association, corporation,

estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(2) LANDLORD or OWNER means a person who owns land and rents such land to another person or operates such land.

(3) SHARECROPPER means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crop produced thereon or of the proceeds thereof.

(4) TENANT means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon, or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(5) CROPLAND means farm land which in 1940 was tilled or was in regular rotation.

(6) COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on January 1, 1941 (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(7) NON-CROP OPEN PASTURE LAND means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(8) SPECIAL CROP ACREAGE ALLOTMENTS, SPECIAL ALLOTMENTS, or SPECIAL CROPS mean celery, tobacco, peanut, Irish potato, or commercial vegetable acreage allotments or crops.

(9) ANIMAL UNIT means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Sec. 14 Authority, availability of funds, and applicability. (a) Authority. This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, and in connection with the effectuation of the purposes of section 7(a) of said Act in 1941 the payments provided for herein will be made for participation in the 1941 program.

(b) Availability of funds. The provisions of the 1941 program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation the

rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

(c) Applicability. The provisions of the 1941 program contained herein, except Secs. 5 and 9(a), are not applicable to (1) counties other than Manatee, Marion, Palm Beach, Sarasota, and Seminole, Florida; (2) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (3) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership.

Lands under (3) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as the Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States, which is farmed by private persons, if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Administration finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

(S E A L)

Done at Washington, D.C.,
this 14th day of January, 1941.
Witness my hand and the seal
of the Department of Agriculture.

/s/ GROVER B. HILL
Acting Secretary of Agriculture.

NOTICE

Listed below are the principal closing dates for the execution and filing of the necessary forms and information with respect to the 1940 and 1941 programs for the Florida Celery Area:

(a) 1940 parity payment applications must be filed in the county office by December 31, 1940

(b) 1940 agricultural conservation payment applications must be filed in the county office by March 31, 1941.

(c) 1941 parity payment applications must be filed in the county office by December 31, 1941.

(d) 1941 agricultural conservation payment applications must be filed in the county office by March 31, 1942.

A work sheet must be filed in the county office by the operator of the farm by March 1, 1941, for all farms that have not been covered by work sheets under previous programs to be eligible for payments under the 1941 Agricultural Conservation Program.

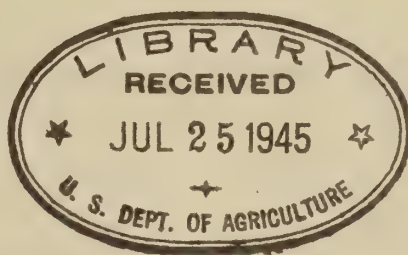
Requests for allotments for "new" farms must be filed in the county office on or before February 15, 1941.

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Georgia Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES
DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION

Program effective from December 1, 1940
to November 30, 1941

Issued December, 1940



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

TO THE FARMERS OF GEORGIA:

This handbook contains the provisions of your farm program for 1941. It is "your program" in every sense of the word. Your experiences over the past eight years, your recommendations, and your needs have made the program what it is today.

We hope that you will continue to look for ways by which the program can be improved. In the year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to work out a program that will meet your needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program. You are one of more than six million farmers who are working together to coordinate your farming methods for the common good of all the people in our State and country.

The 1941 handbook sets before you clearly the details of the agricultural conservation program in Georgia. It outlines your opportunities and your responsibilities as a cooperating farmer. It is your duty, working in cooperation with your committeemen, to see that the program works to the best advantage of all cooperating farmers.

With your interest and cooperation, this handbook can assist you in using the program provisions more effectively and thereby make a better living from your farm. Its use by every farmer should make it possible to achieve the goals of the farm program and result in greater security for all.

GEORGIA AGRICULTURAL CONSERVATION COMMITTEE—

S. ERNEST STATHAM, *Chairman, Sumter County.*

ENOCH P. BOWEN, Jr., *Tift County.*

ROBERT M. STILES, *Bartow County.*

ROBIE GRAY, *Jenkins County.*

WALTER S. BROWN, *Director of Extension.*

T. R. BREEDLOVE, *Acting Administrative Officer in Charge.*

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GEORGIA HANDBOOK

1941 Agricultural Conservation Program

FOREWORD

The 1941 Agricultural Conservation Program in Georgia is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective. In addition to the inclusion of these new provisions in your Georgia Handbook, an attempt has been made to improve it and make it more suited to your needs.

As in the past programs, the objectives of the 1941 program are:

(1) To help farmers get and maintain a fair share of the national income.

(2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.

(3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.

(4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

In addition to the payments provided for under the 1941 Agricultural Conservation Program, which are set out in this handbook, parity payments will be made to cotton, flue-cured tobacco, and commercial wheat producers who do not overplant their cotton, flue-cured tobacco, and wheat allotments and who otherwise comply with the provisions of the 1941 Parity Payment Program. These payments will be made in the summer and fall of 1941.

The AAA also offers the following to cooperating Georgia farmers:

(a) **Loans on cotton.**—If the Secretary of Agriculture determines that the price and supply of cotton are such that loans are required or necessary, cotton producers who cooperate in the agricultural conservation program will be assured of an orderly market for their entire 1941 cotton crop.

(b) **Marketing quotas.**—As a result of the referendum on July 20, 1940, marketing quotas for Burley and flue-cured tobacco are in effect for the years 1941, 1942, and 1943. Since the supply of cotton exceeds the normal supply, cotton farmers will be given an opportunity, by referendum vote on December 7, 1940, to continue cotton marketing quotas.

NOTICE

Listed below are the principal closing dates for the execution and filing of the necessary forms and information with respect to the 1940-1941 farm program:

(a) 1940 parity payment applications must be filed in the county office by December 31, 1940.

(b) 1940 agricultural conservation payment applications must be filed in the county office by March 31, 1941.

(c) 1941 agricultural conservation payment applications must be filed in the county office by March 31, 1942.

In order to be eligible for payment under the 1941 Agricultural Conservation Program, a work sheet must be filed in the county office by the operator of the farm by March 1, 1941, for each farm which has not been covered by a work sheet under a previous program.

Requests for allotments for "new" cotton, commercial vegetable, or potato farms must be filed in writing in the county office on or before February 15, 1941.

Requests for "new-grower" wheat allotments must be filed in writing in the county office on or before November 1, 1940.

Requests for "new-grower" tobacco allotments must be filed in writing in the county office on or before January 1, 1941.

Section 1. COTTON

A. Farm allotments.—The same method used in determining cotton allotments for 1940 will be used in 1941, except for "new" cotton farms. The cotton allotment for each farm is a fixed percentage—uniform for the county—of the farm's cropland, excluding the acreage normally devoted to the commercial production of wheat and tobacco, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of (a) 5 acres or (b) the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1,

1938. A permitted acreage will be determined for each "new" cotton farm for which an application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if written applications are received in the county office after February 1, 1941, provided any reserve is available at the time the applications are filed.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county will not exceed the approved county normal yield.

C. Payments.—The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. **No cotton payment will be made for "new" cotton farms**, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or turpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

The cost of determining the acreage of cotton disposed of shall be paid by the producer.

Section 2. PEANUTS

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine peanut allotments for farms on which peanuts for market were produced in one or more of the years 1938, 1939, and 1940. The allotment shall be determined on the basis of the smaller of (1) an indicated acreage of peanuts for market, as reflected by the tillable acreage available for the production of peanuts, taking into consideration other special crop allotments determined for the farm, with adjustments for production facilities and other physical factors affecting the production of peanuts on the farm, and (2) the acreage customarily grown for market.

Peanut allotments will not be determined for farms on which peanuts for market are produced in 1941 for the first time since January 1, 1938. **The peanut allotments determined for all farms in a county shall not exceed the county allotment.**

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal yield of peanuts for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for **all** farms in any county shall not exceed the approved county normal yield.

C. Payments.—The payment is **11¼ cents** for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of **\$1.50** for each 100 pounds of the normal yield of the excess acreage.

D. Peanuts for market means all peanuts plowed or pulled out of the ground on any farm for which an allotment is determined; for any other farm, all peanuts plowed or pulled out of the ground if (1) any peanuts are separated from the vines by mechanical means and (2) any peanuts are sold to persons not living on the farm.

Section 3. TOBACCO

A. Farm allotments.—An allotment for flue-cured, Burley, or Georgia-Florida Type 62 tobacco shall be determined for each farm on which such kind of tobacco was produced in one or more of the 5 years 1936–1940.

In the case of flue-cured tobacco, the farm allotments for 1941 shall be the same as the 1940 allotments for farms having allotments in 1940.

In the case of Burley tobacco, the farm allotments for 1941 shall be determined by increasing or decreasing each 1940 allotment by the same percentage by which the 1941 national marketing quota is increased or decreased from the 1940 national marketing quota, provided that no allotment shall be reduced more than 10 percent below the 1940 allotment, and no allotment shall be reduced below the larger of (1) the 1939 allotment if it was one-half acre or less, or (2) the 1940 allotment if it was not over one acre, except that if the 1939 allotment

was more than one-half acre and the 1940 allotment was less than one-half acre the 1941 allotment shall be one-half acre.

A small reserve is available for making adjustments in accordance with the regulations prescribed by the Secretary. This acreage may be used to increase farm allotments where an increase is necessary in order to make them compare with allotments determined for other farms which are similar with respect to past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured or Burley tobacco allotment may, in the case of violation of marketing quota regulations for the 1940-1941 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

In the case of Type 62 tobacco, acreage allotments for farms on which Type 62 tobacco was produced in one or more of the 5 years 1936-1940 shall be determined on the basis of the acreage allotments determined for the farms in 1940, with such adjustments as will take into account changes since 1939 in the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. A request for a new grower allotment must be filed in writing in the county office prior to February 1, 1941. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936-1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved county normal yield.

C. Payments.—The payment is **0.8 cent** in the case of flue-cured and Burley, and **1 cent** in the case of Georgia-Florida Type 62, for

each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.¹

Section 4. WHEAT

A. Farm usual acreages and allotments.—The county committee, with the assistance of other local committees, shall determine usual acreages and allotments for wheat in accordance with the following:

(1) Usual acreages of wheat shall be determined for farms on which the normal acreage of wheat harvested as grain or for any purpose after reaching maturity is more than 10 acres. The usual acreage shall be determined on the basis of the past acreage, with due allowance for diversion under previous programs, abnormal weather conditions, tillable acreage, crop-rotation practices, type of soil, and topography. The sum of the usual wheat acreages determined for **all** farms in the county shall not exceed the sum of the average acreages seeded to wheat in 1938 and 1939 on such farms.

Farm wheat allotments shall be determined by apportioning their proportionate share of the county allotment, less appropriate reserves, among farms for which a usual acreage is determined and for which an allotment is requested by the operator of the farm not later than November 1, 1940.

(2) A small acreage reserve is available for "new" wheat farms, that is, farms on which wheat will be seeded for harvest in 1941 but on which wheat was not seeded for harvest in any of the 3 years 1938, 1939, and 1940. An allotment will be determined for all "new" wheat farms for which an application in writing is filed in the county office prior to November 1, 1940; allotments will also be made if written applications are received in the county office after November 1, 1940, provided any reserve is available at the time the applications are filed. The allotments shall be based on tillable acreage, crop-rotation practices, type of soil, and topography, but in no event will the allotment for new wheat farms exceed the "acreage planted to wheat."

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm having a usual wheat acreage or for which a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930–1939 are presented by the farmer or

¹ Each acre of Georgia-Florida Type 62 tobacco harvested shall be classified as eight-tenths (8/10) of an acre harvested if—

(a) An average of at least four top leaves is left on each stalk on all of the acreage of Type 62 tobacco grown on the farm in 1941 and all such stalks are cut within 7 days after harvesting of the other leaves is completed and either left on the land for the remainder of 1941 or plowed under, and

(b) A cover crop of sorghum, cowpeas, velvetbeans, or crotalaria, or any mixture of these, is seeded in 1941 on all land from which Type 62 tobacco is harvested and a reasonably good stand and good growth of such cover crop is attained and is plowed under or disked in before November 30, 1941, after it has attained at least 3 months' growth, provided such cover crop shall not qualify for a soil-building practice payment.

are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county shall not exceed the approved county normal yield.

C. Non-wheat allotment farm means (1) a farm for which a usual acreage of wheat is determined, unless the operator, with the approval of the county committee, elects prior to November 1, 1940, to have the farm considered as a wheat allotment farm, or (2) a farm on which the acreage normally seeded for harvest is 10 acres or less. There may be harvested from each such farm, without affecting payments, an acreage of wheat equal to the largest of (1) the usual acreage, (2) 10 acres, or (3) if no wheat is marketed, 3 acres per farm family.

D. Payments.—(1) For wheat allotment farms, the payment is **8 cents** for each bushel of the normal yield for the farm for each acre in the wheat allotment. There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

(2) For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (a) the usual acreage of wheat determined for the farm, (b) 10 acres, or (c) if no wheat is marketed from the farm, 3 acres per family on the farm.

E. Acreage planted to wheat (for wheat allotment farms only) means—

(1) Any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of oats, rye, barley, vetch, or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop that could not be harvested as wheat for grain or seed);

(2) Any acreage seeded to a mixture designated above and the wheat matures but the other crops fail to mature; and

(3) Any acreage of volunteer wheat which is on the farm after April 15, 1941;

provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by plowing under, disking in, or other similar tillage methods, within 15 days after notice of the acreage planted to wheat is mailed to the farm operator, but not later than April 15, 1941.

Section 5. COMMERCIAL VEGETABLES

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Appling, Berrien, Bibb, Brooks, Bulloch, Catoosa, Chatham, Clayton, Cobb, Coffee, Colquitt, Cook, Effingham, Evans, Fayette, Fulton, Grady, Henry, Irwin, Lowndes, Mitchell, Tattnall, Thomas, Tift, Turner, and Worth Counties, designated as commercial vegetables counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in the years 1939 and 1940, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the county shall not exceed the county allotment, which is based on the 1936–1937 average acreage of vegetables grown on farms for which a vegetable allotment is established.

B. Payments.—The payment is **\$1.30** for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties listed in subsection A, there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables means the planted acreage of annual vegetable or truck crops and the harvested acreage of perennial vegetables, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens for use on the farm, (2) potatoes in Chatham and Effingham Counties, (3) sweet corn, cucumbers, pimentos, spinach, and other greens, for canning, peas for canning or freezing, and (4) dried beans, cowpeas, black-eyed peas, bulbs and flowers, watermelons, sweetpotatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

Section 6. IRISH POTATOES

A. Farm allotments.—In Chatham and Effingham Counties, the county committee, with the assistance of other local committees, shall determine a potato allotment for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county potato allotment.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal yield for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for all farms in any county shall not exceed the approved county normal yield.

C. Payments.—The payment is 2.3 cents for each bushel of the normal yield for each acre in the potato allotment. For farms in the counties listed in subsection A, there shall be a deduction at the rate of 30 cents for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

D. Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (1) when grown in home gardens for use on the farm, and (2) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the producer, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

Section 7. DOUBLE CROPPING, INTERPLANTING, STRIP CROPPING, ETC.

(1) If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.²

(2) If peanuts (or commercial vegetables or potatoes) and another crop that is ordinarily intertilled (including cotton, corn, or truck crops, but excluding asparagus and legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of peanuts (or commercial vegetables or Irish potatoes) are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to peanuts (or commercial vegetables or Irish potatoes). If the rows or strips of peanuts (or commercial vegetables or Irish potatoes) are at least twice the normal width, only that part of the land that is actually occupied by peanuts (or commercial vegetables or Irish potatoes) shall be considered as planted to peanuts (or commercial vegetables or potatoes), provided that if cotton and peanuts are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton, and in addition each row of peanuts shall be considered to occupy a strip of land 2 feet in width.²

² It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as devoted to one or more special soil-depleting crops.

(3) If a special crop and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to the special crop if the rows or strips of the special crop are less than 13½ feet apart; if the rows or strips of the special crop are 13½ feet or more apart, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

(4) If a special crop is planted in commercial orchards or in asparagus, only that part of the land that is actually occupied by the special crop shall be considered as devoted to such crop.

Section 8A. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In Georgia ³ where no total soil-depleting allotments will be determined in 1941, a deduction of **\$5.00** shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than **20 percent** of the cropland on the farm. Such deduction shall apply only to farms having a cotton, tobacco, peanut, wheat, or potato allotment.

The following erosion-resisting or soil-conserving crops, when grown and cared for in a workmanlike manner on **cropland**, will count toward meeting this requirement, **except that those planted in the fall of 1941 shall not qualify:**

- (1) Biennial or perennial legumes or perennial grasses or common ryegrass.
- (2) Lespedeza, crotalaria, cowpeas, sweetclover, or velvetbeans.
- (3) Soybeans from which the seed is not harvested by mechanical means.
- (4) Winter legumes.
- (5) Small grains seeded in the fall of 1940 (except wheat on a wheat allotment farm) which are (a) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay, (b) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (c) grazed and not harvested for grain or hay, or (d) used as a green manure crop.
- (6) Forest trees planted on cropland under the 1940 or 1941 program other than those planted in the fall of 1941.

Cropland on which a good growth of one of the above crops volunteers will qualify. Any of these crops if grown on cropland may qualify if grown on land on which another crop is grown in 1941, but acreages of these crops interplanted with **intertilled row crops** shall not qualify.

Cropland on which approved terraces are constructed under the 1941 program and on which no crops other than one or more of the erosion-resisting or soil-conserving crops listed in this section are grown in 1941 will count toward meeting this requirement. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 15, the acre will count as 3 acres toward meeting the minimum requirement.

³ Except in Coweta County where the provisions of section 8B shall apply, which is issued in supplement 1.

Section 9. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal.—The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals.—The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively. The county committee, with the approval of the State committee, may specify for all farms in the county a proportion of the soil-building allowance which may be used only for carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals.—Insofar as practicable, the county committee shall approve for individual farms practices to be followed which will tend to accomplish the goals established for the county with respect to particular soil-building practices. These practices shall not be routine farming practices on the farm, but shall be those needed on the farm in order to conserve and improve soil fertility and prevent erosion.

D. Soil-building allowance.—The soil-building allowance, which is the maximum payment that may be made in connection with soil-building practices, shall be the sum of the following:

(1) **70 cents**⁴ per acre of cropland in excess of the sum of the cotton, tobacco, peanut, wheat, and potato allotments for which payments are computed;

(2) **\$1.35** per acre of commercial orchards on the farm on December 1, 1940;

(3) **25 cents** per acre of fenced noncrop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) the amount earned by planting forest trees in accordance with practice 18, not to exceed **\$15**.

For any farm for which the sum of the maximum payments computed for special crops under sections 1 through 6, and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs.—Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

⁴ Except in Coweta County.

F. Soil-building practices.—The soil-building practices listed below shall count toward earning the soil-building allowance (1) if included in the county soil-building goal, (2) if they are carried out during the period from December 1, 1940, to November 30, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality, and (3) if not disapproved by the county committee for the particular farm. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of** the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture:

- (a) **48 pounds of available phosphate (P_2O_5)**—\$1.50.

Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, or a bag containing not less than 100 pounds of triple superphosphate furnished by the AAA.

- (b) **One ton of basic slag**—\$6.00.

SPECIFICATIONS.—The material must be evenly distributed and may be applied only to the eligible crops grown alone or in mixtures. In the case of lespedeza seeded alone, winter legumes, common ryegrass, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the small grain is harvested nor after June 15. The material may be applied to volunteer lespedeza or crotalaria if the application is made between February 1 and June 15. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Winter legumes seeded in row-crop middles are considered as grown alone. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)**—

\$2.50 in Baker, Banks, Bartow, Ben Hill, Bibb, Bleckley, Butts, Calhoun, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clay, Clayton, Cobb, Colquitt, Cook, Coweta, Crawford, Crisp, Dade, Dawson, Decatur, DeKalb, Dodge, Dooly, Dougherty, Douglas, Early, Fannin, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Grady, Gwinnett, Habersham, Hall, Haralson, Harris, Heard, Henry, Houston, Irwin, Jackson, Lamar, Lee, Lumpkin, Macon, Marion, Meriwether, Miller,

Mitchell, Monroe, Murray, Muscogee, Newton, Paulding, Peach, Pickens, Pike, Polk, Pulaski, Quitman, Rabun, Randolph, Rockdale, Schley, Seminole, Spalding, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Thomas, Tift, Towns, Troup, Turner, Twiggs, Union, Upson, Walker, Webster, White, Whitfield, Wilcox, Wilkinson, and Worth Counties:

\$3.00 in Appling, Atkinson, Bacon, Baldwin, Barrow, Berrien, Brantley, Brooks, Bryan, Bulloch, Burke, Camden, Candler, Charlton, Chatham, Clarke, Clinch, Coffee, Columbia, Echols, Effingham, Elbert, Emanuel, Evans, Franklin, Glascock, Glynn, Greene, Hancock, Hart, Jasper, Jeff Davis, Jefferson, Jenkins, Johnson, Jones, Lanier, Laurens, Liberty, Lincoln, Long, Lowndes, McDuffie, McIntosh, Madison, Montgomery, Morgan, Oconee, Oglethorpe, Pierce, Putnam, Richmond, Screven, Stephens, Taliaferro, Tattnall, Toombs, Treutlen, Walton, Ware, Warren, Washington, Wayne, Wheeler, and Wilkes Counties.

SPECIFICATIONS.—The material must be evenly distributed. The limestone must be 90 percent or more calcium carbonate equivalent. If materials of a lower grade are used, sufficient additional quantities shall be applied to furnish calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone.
- 1,400 pounds of hydrated lime.
- 2,000 pounds of ground oyster shells.

Limestone and oyster shells must be of sufficient fineness so that 40 percent will pass through a 100-mesh sieve, and 98 percent through a 10-mesh sieve.

Seedings

3. Seeding winter legumes—\$1.50 per acre.

SPECIFICATIONS.—Unless a successful crop of the particular winter legume has been grown on the same land during the previous year, such legume must be inoculated. Winter legumes shall be fertilized with the equivalent of at least 200 pounds of 16 percent superphosphate or 400 pounds of basic slag per acre, unless the land has been well fertilized for the previous crop with a fertilizer high in percentage of available phosphate (P_2O_5). In fields where there is a known deficiency of lime, lime must be applied. The application of lime, superphosphate, or basic slag will also qualify under practice 1 or 2 if applied in accordance with the specifications for such practice. Only the winter legumes listed below may qualify. They must be seeded not later than November 15, 1941, and at not less than the following rates per acre:

Austrian winter peas.....	30 pounds
Oregon vetch.....	30 pounds
Hairy, Monantha, smooth, and Hungarian vetch.....	20 pounds
Clean crimson clover.....	15 pounds
Chaffy crimson clover.....	40 pounds
Bur-clover (in the bur).....	50 pounds

Mixtures of these legumes—the seeding rate of each legume in the mixture shall be that amount which is obtained by dividing the seeding rate for each legume when seeded alone by the total number of legumes in the mixture.

4. Seeding annual lespedeza—\$1.00 per acre.

SPECIFICATIONS.—Annual lespedeza must be seeded not later than April 30, 1941, and at not less than 30 pounds per acre. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

5. Seeding crotalaria—\$1.50 per acre.

SPECIFICATIONS.—The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 1, 1941, and at not less than 15 pounds per acre, either broadcast or in rows not more than one foot wide. Where there is a known deficiency of phosphate, it must be applied, and credit will be given for the material if applied in accordance with the specifications for practice 1. No credit will be given for seeding crotalaria on land on which crotalaria was grown in 1940.

6. Seeding lespedeza sericea—\$1.50 per acre.

SPECIFICATIONS.—Lepedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified or 35 pounds of unscarified seed per acre. Where there is a known deficiency of lime or phosphate, this material must be applied. The application of lime or phosphate will qualify under practice 1 or 2 if applied in accordance with the specifications for such practice.

7. Establishing a permanent vegetative cover of kudzu—\$4.50 per acre.

SPECIFICATIONS.—The land must be well prepared prior to planting and fertilized with a minimum of 200 pounds of 16 percent superphosphate, or its equivalent, or 400 pounds of basic slag and cultivated at least twice during the growing season. A minimum of 350 evenly distributed kudzu plants per acre showing healthy growth must be on the land at the time performance is checked. To obtain this number of surviving plants, it is necessary under normal conditions to set out 600 plants per acre.

8. Seeding red clover or biennial sweetclover—75 cents per acre.

SPECIFICATIONS.—The seedings must be at not less than the following rates per acre:

Red clover—15 pounds.

Biennial sweetclover—15 pounds.

These crops must be inoculated in all cases. It is necessary to fertilize these crops with the equivalent of at least 200 pounds of 16 percent superphosphate or 400 pounds of basic slag unless the land has been well fertilized for the previous crop with a fertilizer high in percentage of available phosphate (P_2O_5). Lime must be applied in fields known to be deficient in lime. If phosphate or lime is applied in accordance with the specifications for practice 1 or 2, credit may be received under such practice.

Pasture**9. Establishment of permanent pasture by sodding and seeding—\$4.50 per acre.**

SPECIFICATIONS.—(a) **Preparation.**—The acreage which is to be established in permanent pasture shall have the bushes and trees removed so as to have open pasture land. The top soil must be stirred by plowing or double disking, or its equivalent, to prepare a seedbed and to destroy the weeds. The seedbed must be firm before the seed is sown. This practice may be carried out on cropland or noncropland. Where the land which is to be established to permanent pasture is eroded, such steps as are necessary to control the erosion must be taken before the pasture is established.

(b) **Fertilization.**—The following materials must be applied at the indicated rates per acre at or before the time of sodding: (1) The equivalent of 400 pounds of 16 percent superphosphate or (2) 800 pounds of basic slag. Where there is a known deficiency of lime, it must be applied. Credit will be given for applying the material in accordance with specifications for practice 1 or 2.

(c) **Plantings.**—Sod pieces or sprigs must be planted so that there will be at least one sod piece or sprig for each four square feet of land. A permanent pasture shall not be deemed to have been established until at least two-thirds of the sod pieces or sprigs show healthy growth.

(d) **Seedings.**—In addition to sodding or sprigging, one of the following mixtures must be seeded at the rates specified. No additional payments will be made for these supplemental seedings.

APPALACHIAN MOUNTAIN REGION:⁵

	Low- land	Up- land
Lespedeza-----	(pounds) -- 15	15
Dallis grass (imported seed)-----	(pounds) -- 6	--
Herds grass (redtop)-----	(pounds) -- 5	--
Kentucky bluegrass-----	(pounds) -- 3	--
Either white clover-----	(pounds) -- 2	2
Or hop clover-----	(pounds) -- 3	3

LIMESTONE VALLEY AND UPLAND REGION⁶ AND PIEDMONT REGION:⁷

	Low- land	Up- land
Lespedeza-----	(pounds) -- 15	15
Dallis grass (imported seed)-----	(pounds) -- 6	--
Either white clover-----	(pounds) -- 2	--
Or hop clover-----	(pounds) -- 3	3

COASTAL PLAIN REGION:⁸

	Low- land	Up- land
Lespedeza-----	(pounds) -- 15	15
Carpet grass-----	(pounds) -- 6	--
Dallis grass (imported seed)-----	(pounds) -- 6	--
Either white clover-----	(pounds) -- 2	--
Or hop clover-----	(pounds) -- 3	3

(The inclusion of carpet grass in the mixture is optional. If it is not used, the amount of Dallis grass must be increased one pound for each two pounds of carpet grass omitted.)

10. Establishing permanent pasture by seeding—\$3.00 per acre.

SPECIFICATIONS.—(a) **Preparation.**—The acreage which is to be established in permanent pasture shall have the bushes and trees removed so as to have open pasture land. The top soil must be stirred by plowing or double disking, or its equivalent, to prepare a seedbed and to destroy the weeds. The seedbed must be firm before the seed is sown. This practice may be carried out on cropland or noncropland. Where the land which is to be established to permanent pasture is eroded, such steps as are necessary to control the erosion must be taken before the pasture is established.

(b) **Fertilization.**—The following materials must be applied at the indicated rates per acre at or before the time of seeding: (1) The equivalent of 400 pounds of 16 percent superphosphate or (2) 800 pounds of basic slag. Where there is a known deficiency of lime, it must be applied (basic slag may be substituted for lime). Credit will be given for applying the material in accordance with specifications for practice 1 or 2.

(c) **Seed mixtures.**—One of the following mixtures which is applicable to the area must be used, except that the mixture approved for another area may be used in any county on the border of such area. (See footnotes 5, 6, 7, and 8, for counties included in each region.)

APPALACHIAN MOUNTAIN REGION:

	Low- land	Up- land
Lespedeza-----	(pounds) -- 15	15
Dallis grass (imported seed)-----	(pounds) -- 6	--
Herds grass (redtop)-----	(pounds) -- 5	3
Bluegrass (Kentucky)-----	(pounds) -- 3	2
Orchard grass-----	(pounds) -- --	6
Either white clover-----	(pounds) -- 2	2
Or hop clover-----	(pounds) -- 3	3

⁵ The Appalachian Mountain Region includes Fannin, Gilmer, Pickens, Cherokee, Dawson, Lumpkin, White, and Habersham Counties, and all counties lying north and east of these.

⁶ The Limestone Valley and Upland Region includes Murray, Gordon, Bartow, and Polk counties, and all counties lying north and west of these.

⁷ The Piedmont Region includes Haralson, Paulding, Cobb, Fulton, Forsyth, Hall, Banks, Stephens, Baldwin, Hancock, Glascock, McDuffie, and Columbia Counties, and all counties lying between these.

⁸ The Coastal Plain Region includes Chattahoochee, Marion, Taylor, Peach, Houston, Twiggs, Wilkinson, Washington, Jefferson, and Richmond Counties and all counties lying south of these.

LIMESTONE VALLEY AND UPLAND REGION AND PIEDMONT REGION :

(The following mixture is applicable to all lowlands and also to upland having a fair stand of Bermuda grass. Uplands having a poor stand of Bermuda grass will need to be sodded.)

Lespedeza	15 pounds.
Dallis grass (imported seed)	6 pounds.
Either white clover	2 pounds.
Or hop clover	3 pounds.

COASTAL PLAIN REGION :

(The following mixture is applicable only to upland having a partial stand of Bermuda and to lowland. Sodding is required for upland having a very poor or no stand of Bermuda. See practice 9.)

Lespedeza	15 pounds.
Carpet grass	6 pounds.
Dallis grass (imported seed)	6 pounds.
Either white clover	2 pounds.
Or hop clover	3 pounds.

(The inclusion of carpet grass in the mixture is optional. If it is not used, the amount of Dallis grass must be increased one pound for each two pounds of carpet grass omitted.)

If seed which is not properly cleaned or which will not meet standard germination requirements is used, sufficient additional seed must be used so that the mixture will be composed of the equivalent to the above amount of good seed.

11. Development of noncrop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.

SPECIFICATIONS.—The noncrop open pasture land to qualify under this practice must have prior approval of the county committee, and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species, and the original condition of the area must be such that a satisfactory sod could not be established or the area mowed without the removal of the brush, vines, trees, and loose stones.

(c) The area approved under this practice must also be seeded or sodded and seeded in accordance with the specifications for practice 9 or 10, for which credit will be given under these practices if carried out in accordance with the specifications for such practices.

(d) The equivalent of at least 300 pounds of 16 percent superphosphate per acre must be applied in all cases, and lime must also be applied, if needed, for which credit will be given under practice 1 or 2 if applied in accordance with the specifications for such practice.

(e) The area approved must be adequately fenced.

12. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.

SPECIFICATIONS.—Pastures shall consist of a mixture of perennial grasses and pasture legumes and shall be mowed twice during the year or more often, if necessary, to control weeds, shrubs, bushes, etc. The first mowing must not be later than the early flowering stage of the weeds and the last mowing not later than September 1, 1941. The plants mowed are neither to be used for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

13. Contour ridging noncrop open pasture land on slopes not to exceed 6 percent—15 cents per 100 linear feet of ridge constructed, not to exceed \$1.50 per acre.

SPECIFICATIONS.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacing must not exceed 15 feet.

(c) Ridges should be constructed by plowing two or more rounds, leaving an unbroken strip or balk between the ridges, the balk to be broken out with a disk, double shovel, cultivator, or other implement designed to construct a flat-bottomed furrow at least 12 inches in width at the bottom. Width of plowed area must not be less than 3 feet on either side of the balk.

(d) Contour ridges must be constructed with ends curved up the slope. Such ridge must not cross gullies, but the ends must be curved up to direct water away from the gully.

14. Contour ridging noncrop open pasture land on slopes in excess of 6 percent—10 cents per 100 linear feet.

SPECIFICATIONS.—(a) Contour ridges must be laid off on the level.

(b) Horizontal spacing must not exceed 30 feet.

(c) Contour ridges should be of the broad-base type—6 to 10 feet in width—and should be constructed by plowing at least six furrows (three rounds) of soil together with an 8-inch or larger turning plow. It will likely require more than one plowing to complete the ridge.

(d) The ridge for the gentler slopes (6–12 percent) will not be less than 10 feet and on the steeper slopes (over 12 percent) not less than 6 feet in width measured from the center of the water channel above the ridge to the edge of the bank below the ridge. The settled height shall not be less than 12 inches from the bottom of the water channel to the top of the ridge. All measurements are to be made at the narrowest part of the ridge and at the lowest points in the ridge.

(e) Contour ridges must be constructed with the ends curved up the slope. Such ridges must not cross gullies but the ends must be curved up the slope to direct water away from the gully.

Erosion control

15. Construction of standard terraces for which proper outlets are provided—\$1.50 per 200 linear feet of terrace.

(Georgia Extension Bulletin No. 394 explains in greater detail all points mentioned in this terrace specification. A copy may be obtained free from any Georgia county agent.)

SPECIFICATIONS.—(a) Terraces on 12-percent slopes will be 44 feet apart, and on 3-percent slopes 100 feet apart, etc. 140 feet is the maximum spacing between terraces on land with a slope not in excess of 3 percent.

(b) The maximum fall on a 1,200-foot terrace will be 2 inches per 100 feet on sandy soils, and on a 1,500-foot terrace 6 inches per 100 feet on clay soils. Terraces which show excessive erosion in the channel will not qualify.

(c) The width of terraces will vary according to the slope of the land. Terraces, to have sufficient capacity for recommended spacing, must have a maximum width of 16 feet on a 12-percent slope. This width is measured from the edge of the bank on the lower side to the upper edge of terrace channel. On the flatter lands, for instance a 1- or 2-percent grade, a width of 20 feet will be required.

(d) The capacity of the terrace shall be determined by measuring a cross section of the channel. A cross section of 6 square feet is necessary, which means that a terrace channel on a 16-foot terrace shall not be more than 11 feet wide; therefore, the channel must be 15 inches deep; a 12-foot channel 14 inches deep; and a 15-foot channel 12 inches deep. Other grades between these will fall somewhere in the range and the narrower the channel the greater the required depth. These measurements shall be taken in the weaker part of the terrace where there is heavy strain. From 4 to 6 inches height on the ridge above the line of measurement is necessary as a safety factor for settling where terraces are newly constructed.

(e) Proper terrace outlets must be constructed. Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture strip should be developed for outlet control. Where the above conditions are not possible or practical, a sodded channel must be estab-

lished. The outlet ends of all terrace channels shall be protected by the use of adapted vegetative strips, rocks, or other suitable impediments.

16. Strip cropping, with alternate strips of close-grown crops and intertilled crops.—35 cents per acre.

SPECIFICATIONS.—The strips will qualify for payment only in the year in which they are established. Erosion-resisting strips may be planted to kudzu, alfalfa, annual lespedeza, lespedeza sericea, crotalaria, winter legumes alone or in combination with small grain, small grain, cowpeas in combination with sorghum or Sudan grass, sorghum, Sudan grass, or other dense-growing crops.

(a) Strips shall follow the terraces or on land not terraced shall be laid off with an accurate terrace level on terrace spacings recommended in practice 15.

(b) Strips of either erosion-resisting or erosion-permitting crops shall not be less than 20 feet nor more than 200 feet wide.

(c) On slopes up to 4 percent at least 25 percent of the total area shall be in protective cover; on slopes from 4 to 10 percent at least 33½ percent; and on slopes above 10 percent at least 50 percent of the total area. On slopes in excess of 4 percent, strip cropping will not qualify unless the land is terraced.

Green Manure and Cover Crops

17. Green manure and cover crops turned under or left on the land—\$1.50 per acre.

SPECIFICATIONS.—Credit will not be given for lespedeza, crotalaria, kudzu, peanuts, beggar weed, any volunteer crop, or soybeans from which the seed is harvested by mechanical means. Crops that will qualify are summer legumes, with the above exceptions, winter legumes, fall- or winter-sown small grains, and common ryegrass. A summer-growing crop turned under on land subject to erosion must be followed by a winter cover crop. A good stand and a good growth must be obtained and left on the land or turned under. A good growth means a growth which, if harvested for hay, would make approximately ¾ ton per acre of air-dry material.

Forestry

18. Planting forest trees—

- (a) **Slash and longleaf pines—\$3.00 per acre.**
- (b) **Loblolly and shortleaf pines—\$4.50 per acre.**
- (c) **Hardwoods—\$6.00 per acre.**

SPECIFICATIONS.—**Time of planting.**—Planting to be done during the dormant season.

Number and spacing.—1,200 trees per acre must be planted of shortleaf or loblolly pines or hardwoods (except black walnut), and 675 per acre of slash or longleaf pines or black walnut. (A spacing 6 by 6 feet will give 1,210 trees per acre, and 8 by 8 feet 680 trees per acre.) The planting of trees is not limited to areas free of trees and trees may be set out on land on which scattered trees are growing, provided a full planting is made. The existing stand of trees must not be sufficient to result in a growth so dense as to retard the development of the young trees.

Method of planting.—For planting black locust and other hardwoods, the ground shall be flat-broken or wide-bedded with plow at least 2 months in advance of planting. For pines no preparation is required. Ample holes shall be dug to take all roots without curling main taproot. Dirt shall be drawn into hole and thoroughly packed around roots without injury. Trees must be **set tight in the ground.**

Cultivation.—The hardwoods must be cultivated at least once the first growing season.

Protection.—The plantings must be adequately protected against injury from fire and livestock.

Survival.—There must be a survival at the time performance is checked in the fall of 1941 of at least 65 percent of the number of trees required to be planted.

Trees purchased from a State nursery may qualify under this practice.

19. Cultivating, protecting, and maintaining, by replanting if necessary, a stand of hardwood trees planted between January 1, 1940 and November 30, 1940—\$1.50 per acre.

SPECIFICATIONS.—(a) The planted stand must contain a minimum of 600 living trees per acre. Where fewer trees than 600 survived, additional plantings will be necessary.

(b) The trees must be cultivated twice between May 1 and August 31, 1941.

(c) All plantings must be fully protected from livestock by the construction of fences, if necessary. The trees must also be protected adequately to prevent damage by fire. Firebreaks must be constructed by plowing on sides adjacent to woodlands or fields having a fire hazard.

20. Construction of firebreaks for the protection of farm woodland—10 cents per 100 linear feet of firebreak constructed. (Applicable only in Emanuel and Greene counties.)

SPECIFICATIONS.—The land to qualify under this practice must have prior approval of the county committee. The firebreaks must be at least 6 feet wide and cleared to mineral soil of all inflammable material. The woodland areas must be divided into blocks of not more than 20 acres each by firebreaks. The area around which the firebreaks are constructed must be unburned during the year for which payment is made. Areas qualifying for payment under practice 18 or 19 or the Naval Stores Conservation Program will not qualify.

Miscellaneous

21. Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 per garden.

SPECIFICATIONS.—(a) There must be at least one-fourth acre (excluding sweetpotatoes) of garden for each family.

(b) The garden (excluding sweetpotatoes) shall be planted in not more than two plots of ground and must be devoted to vegetables throughout the year. At least 10 different vegetables must be produced. Roasting ear corn, crowder or field peas, tomatoes, and sweetpotatoes, even though grown outside the garden plot, may be included in the 10 different vegetables required. Two or more families on the same farm may combine their gardens into a common area. Suggested basic vegetables include sweetpotatoes, Irish potatoes, collards, turnip greens, turnip roots, snap beans, crowder or field peas, lima beans, cabbage, tomatoes, onions, and okra.

(c) The soil must be prepared properly and fertilized, and must be kept reasonably well cultivated throughout the year.

(d) An effort must be made to control insect pests.

(e) Adequate protection from livestock must be provided.

Section 10. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments.—(1) The net payment or net deduction computed for any farm with respect to cotton, peanuts, tobacco, Irish potatoes, commercial vegetables, or wheat shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.**—If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bed diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that

the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.**—If for any reason the total acreage of cotton on the farm in 1941 is less than 80 per cent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton, peanut, tobacco, Irish potato, commercial vegetable, and wheat allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices.—The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions.—If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 11. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed ¹	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99-----	\$0. 40	\$32.00 to \$32.99-----	\$10. 40
\$2.00 to \$2.99-----	. 80	\$33.00 to \$33.99-----	10. 60
\$3.00 to \$3.99-----	1. 20	\$34.00 to \$34.99-----	10. 80
\$4.00 to \$4.99-----	1. 60	\$35.00 to \$35.99-----	11. 00
\$5.00 to \$5.99-----	2. 00	\$36.00 to \$36.99-----	11. 20
\$6.00 to \$6.99-----	2. 40	\$37.00 to \$37.99-----	11. 40
\$7.00 to \$7.99-----	2. 80	\$38.00 to \$38.99-----	11. 60
\$8.00 to \$8.99-----	3. 20	\$39.00 to \$39.99-----	11. 80
\$9.00 to \$9.99-----	3. 60	\$40.00 to \$40.99-----	12. 00
\$10.00 to \$10.99-----	4. 00	\$41.00 to \$41.99-----	12. 10
\$11.00 to \$11.99-----	4. 40	\$42.00 to \$42.99-----	12. 20
\$12.00 to \$12.99-----	4. 80	\$43.00 to \$43.99-----	12. 30
\$13.00 to \$13.99-----	5. 20	\$44.00 to \$44.99-----	12. 40
\$14.00 to \$14.99-----	5. 60	\$45.00 to \$45.99-----	12. 50
\$15.00 to \$15.99-----	6. 00	\$46.00 to \$46.99-----	12. 60
\$16.00 to \$16.99-----	6. 40	\$47.00 to \$47.99-----	12. 70
\$17.00 to \$17.99-----	6. 80	\$48.00 to \$48.99-----	12. 80
\$18.00 to \$18.99-----	7. 20	\$49.00 to \$49.99-----	12. 90
\$19.00 to \$19.99-----	7. 60	\$50.00 to \$50.99-----	13. 00
\$20.00 to \$20.99-----	8. 00	\$51.00 to \$51.99-----	13. 10
\$21.00 to \$21.99-----	8. 20	\$52.00 to \$52.99-----	13. 20
\$22.00 to \$22.99-----	8. 40	\$53.00 to \$53.99-----	13. 30
\$23.00 to \$23.99-----	8. 60	\$54.00 to \$54.99-----	13. 40
\$24.00 to \$24.99-----	8. 80	\$55.00 to \$55.99-----	13. 50
\$25.00 to \$25.99-----	9. 00	\$56.00 to \$56.99-----	13. 60
\$26.00 to \$26.99-----	9. 20	\$57.00 to \$57.99-----	13. 70
\$27.00 to \$27.99-----	9. 40	\$58.00 to \$58.99-----	13. 80
\$28.00 to \$28.99-----	9. 60	\$59.00 to \$59.99-----	13. 90
\$29.00 to \$29.99-----	9. 80	\$60.00 to \$185.99-----	14. 00
\$30.00 to \$30.99-----	10. 00	\$186.00 to \$199.99-----	(¹)
\$31.00 to \$31.99-----	10. 20	\$200.00 and over-----	(²)

¹ Increase to \$200.00.

² No increase.

Section 12. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Georgia shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses

in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 13. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county.—The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 9 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State.—The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 14. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 15. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 16. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program.—All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs; (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

- (1) **Practice.**—A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded.—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (2) **Practice.**—A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded.—The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

- (3) **Practice.**—A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded.—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (4) **Practice.**—A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded.—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (5) **Practice.**—A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded.—All the payments which have been or otherwise would be made to a person who adopts such practice.

- (6) **Practice.**—A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded.—Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

- (7) **Practice.**—A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded.—The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) **Practice.**—A person rents land for cash, standing, or fixed rent to another person whom he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded.—The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) **Practice.**—A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded.—The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) **Practice.**—A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any Government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded.—The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant.

There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

- (11) **Practice.**—A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded.—The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) **Practice.**—A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded.—The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms.—No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures.—No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims.—Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm

shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments.—Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage.—Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton

acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge, but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

Section 17. APPLICATION FOR PAYMENT

A. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 10, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required.—Payment will be made only upon application submitted

through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms.—If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 18. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) Eligibility to file an application for payment; (b) any cotton, peanut, tobacco, Irish potato, commercial vegetable, or wheat allotment or soil-building allowance; (c) the division of payment, or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county com-

mittee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 19. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation. Land tilled in the fall of 1940 shall not be classified as cropland unless such land would otherwise be classified as cropland.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm at the time performance in connection with the 1940 Agricultural Conservation Program is determined (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could be mowed and could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, peanut, tobacco, Irish potato, commercial vegetable, and wheat acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 20. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Georgia in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds.—The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability.—The provisions of this handbook (except sections 12 and 16A) are applicable only to farms in Georgia, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Administrator on October 30, 1940, and of Supplement 1 thereto, except section 8B, approved by the Acting Administrator on December 20, 1940.

I. W. DUGGAN,
Director, Southern Division.

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U. S. Department of Agriculture

Louisiana Handbook

1941 AGRICULTURE AND RURAL LIFE PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION



**Program effective from December 1, 1940
to November 30, 1941**



Issued January 1941



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941**

TO THE FARMERS OF LOUISIANA:

This handbook contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the difficult year ahead of us, it is more than ever necessary that the program continue to contribute to our national security.

Your community and county committeemen have worked hard to fit the details of the program to your own needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation.

The provisions outlined in this handbook fit into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your efforts and to improve your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly the details of the program in Louisiana. It outlines your opportunities and your responsibilities as a cooperating producer. Your **special attention** is called to the responsibility of cooperating producers in the parishes listed in section 7 to have on their farms **a required acreage of erosion-resisting or soil-conserving crops or land uses.**

Careful study of this handbook will assist you to make greater use of the program provisions and thereby enable you to make a better living from your farm. Its proper use by every farmer should make it possible to achieve all the goals set forth in the foreword, and result in greater happiness and security for all.

LOUISIANA STATE AGRICULTURAL CONSERVATION COMMITTEE—

JOHN J. DOLES, *Chairman*, Bossier Parish,
M. W. SCANLAN, *Vice Chairman*, Acadia Parish,
JOHN H. HENRY, *Member*, Natchitoches Parish,
LEON J. LANDEY, *Member*, Iberia Parish,
HARRY G. CHALKLEY, Jr., *Member*, Calcasieu Parish,
C. D. KEMPER, *Advisory Member*, Franklin Parish,
H. C. SANDERS, *Ex-officio Member*, *Acting Director of*
Agricultural Extension,
G. J. DURBIN, *Administrative Officer in Charge.*

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LOUISIANA HANDBOOK

1941 Agricultural Conservation Program

FOREWORD

The 1941 Agricultural Conservation Program in Louisiana is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

(1) To help farmers get and maintain a fair share of the national income.

(2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.

(3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.

(4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of rice and sugarcane for sugar, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of .5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. This reserve will be approximately one-half as large as it was in 1940. A permitted acreage will be determined for each "new" cotton farm for which an application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if written applications are received in the county office after February 1, 1941, provided any reserve is available at the time of filing the applications.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the parish or administrative area will not exceed the approved normal yield for the parish or administrative area.

C. Payments. The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction from the agricultural conservation payment at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or turpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton is mailed to the farm operator and before any such acreage is harvested; or

(3) Any acreage on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, sugarcane, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than $13\frac{1}{2}$ feet apart (measured from the drill); if the rows or strips of cotton are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 2. RICE

A. Farm allotments. The county committee, with the assistance of other local committees and the approval of the State committee, shall determine rice allotments in accordance with the following:

(1) An allotment shall be determined for each farm tilled by a producer who participated in the production of rice in one or more of the 5 years 1936-1940 and who will participate in the production of rice in 1941. The allotment shall be determined on the basis of his past production of rice during the 5 years 1936-1940, adjusted to the acreage on the farm adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility, the acreage diverted under previous agricultural conservation programs, and other physical factors affecting the production of rice, including the labor and equipment available for the production of rice on the farm.

(2) An acreage not to exceed 3 percent of the State allotment shall be apportioned among farms tilled by producers who are participating in the production of rice in 1941 for the first time since January 1, 1936. The allotments shall be determined on the basis of the applicable standards set forth in the above paragraph, except that the rice allotment for any such farm shall not exceed 75 percent of the allotment that would have been made to the farm had such person(s) participated in the production of rice in one or more of the 5 years

1936-1940. If the 1941 acreage of rice on a farm tilled solely by producers who are participating in the production of rice for the first time in 1941 since January 1, 1936, is less than the 1941 rice allotment, the final allotment shall be reduced to the 1941 rice acreage.

(3) The sum of the rice allotments in a State shall not exceed the State allotment.

B. Farm normal yields. The State and county committees, with the assistance of other local committees, shall determine for each farm for which a rice allotment is determined or a deduction is computed a normal yield of rice in accordance with the following:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of rice per acre for the 5 years 1936-1940 are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(2) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (1) of this subsection.

(3) If the average of the normal yields for all farms participating in the 1941 program in the State exceeds the average yield per acre for the State during the 5 years 1936-1940, the normal yields for **all** such farms shall be reduced pro rata so that the average of such normal yields will not exceed the State average yield.

C. Payments. The payment is **8.91 cents** for each barrel of the normal yield for each acre in the rice allotment. If the acreage planted to rice is in excess of the allotment, there shall be a deduction at the rate of **97.2 cents** for each barrel of the normal yield of the excess acreage.

D. Acreage planted to rice means the acreage of land seeded to rice, provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to rice if disposed of by plowing, disking, or other similar tillage methods, within 10 days after notice of the acreage planted to rice is mailed to the operator, but in no case later than harvest. All or any part of any acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage of rice planted on the farm, may nevertheless be considered as not having been planted.

Section 3. IRISH POTATOES

A. Farm allotments. In Ascension, La Fourche, Pointe Coupee, Rapides, Saint James, and Terrebonne Parishes, designated as commercial potato parishes, the county committee, with the assistance of other local committees, shall determine a potato allotment for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the

allotments for other farms in the same community which are similar with respect to such factors. The allotments determined for farms in a parish shall not exceed their proportionate share of the parish potato allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for **all** farms in any parish shall not exceed the approved parish normal yield.

C. Payments. The payment is **2.3 cents** for each bushel of the normal yield for each acre in the potato allotment. For farms in the parishes listed in subsection A, there shall be a deduction at the rate of **30 cents** for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

D. Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (1) when grown in home gardens, including that acreage of potatoes planted on the farm for home use from which the entire production is consumed on the farm, and (2) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the producer, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

If potatoes and another crop that is ordinarily intertilled (including cotton, sugarcane, or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of potatoes are less than twice the normal width for planting the crop alone in the parish, all of the land shall be considered as planted to potatoes; if the rows or strips of potatoes are at least twice the normal width, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes.

If potatoes and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to potatoes if the rows or strips of potatoes are less than $13\frac{1}{2}$ feet apart; if the rows or strips of potatoes are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes. If potatoes are planted in commercial orchards, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 4. COMMERCIAL VEGETABLES

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Ascension, East Baton Rouge, Iberia, Jefferson, La Fourche, Livingston, Orleans, Plaquemines, Saint Bernard, Saint

Charles, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Tangipahoa, and Terrebonne Parishes, designated as commercial vegetable parishes. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936-1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the parish, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the parish limit.

B. Payments. The payment is **\$1.30** for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable parishes, there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which there is planted annual vegetable or truck crops or from which there is harvested perennial vegetables, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, (2) potatoes in Ascension, La Fourche, Pointe Coupee, Rapides, Saint James, and Terrebonne Parishes, (3) peas for canning or freezing, sweet corn for canning, and hot peppers for processing, and (4) dried beans, cowpeas, black-eyed peas, bulbs and flowers, watermelons, sweetpotatoes, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily intertilled (including cotton, sugarcane, corn, or peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the parish, all of the land shall be considered as planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than 13½ feet apart; if the rows or strips of commercial vegetables are 13½ feet or more apart, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 5. WHEAT

There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield as determined by the county committee for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (1) the usual acreage of wheat determined by the county committee for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm. **Consult your county committee if your present plans provide for harvesting more than 10 acres of wheat.**

Section 6. TOTAL SOIL-DEPLETING CROPS

A. Farm allotments. Total allotments will be determined in Allen, Assumption, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Jefferson, Jefferson Davis, La Fourche, Orleans, Plaquemines, Saint Bernard, Saint Charles, Saint James, Saint John the Baptist, Saint Mary, Terrebonne, and West Feliciana Parishes, where the provisions of section 7 relating to the deduction for failure to have a minimum acreage of erosion-resisting or soil-conserving crops and land uses shall not apply. The county committee, with the assistance of other local committees, shall determine a total soil-depleting allotment for each farm for which a special allotment (other than a vegetable allotment) is determined. The total allotment for any farm shall be determined on the basis of good soil management, tillable acreage, type of soil, topography, degree of erosion, the acreage of all soil-depleting crops customarily grown on the farm, and the acreage of food and feed crops needed for home consumption, taking into consideration special allotments. The total allotments shall be comparable with the acreage allotments for all farms in the same community which are similar with respect to the above factors.

B. Deductions. For each farm for which a total allotment is determined, there shall be a deduction at the rate of **\$5.00** for each acre classified as soil depleting in excess of the larger of (1) the total soil-depleting allotment plus the acreage of special crops for which deductions are computed, or (2) the acreage on which cotton is planted plus 30 acres.

C. General crops means all crops listed in the definition of soil-depleting acreage (section 9), except (1) wheat, cotton, rice, potatoes, and commercial vegetables, where a separate payment or deduction is computed for the farm with respect to such crop, and (2) sugarcane for sugar; provided that wheat, vegetables on a non-vegetable allotment farm in a commercial vegetable parish, and potatoes on a nonpotato allotment farm in a commercial potato parish, shall always be regarded as general crops for the purpose of determining the division of the net payment or net deduction computed with respect to general crops. All or any part of any

acreage of rice, potatoes, or any general soil-depleting crop, which is totally destroyed before maturity by flood, insects, or any other cause beyond the control of the operator, may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops if replaced by other acreage devoted to a soil-depleting crop.

Section 7. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In Acadia, Ascension, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Lafayette, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, Saint Helena, Saint Landry, Saint Martin, Saint Tammany, Tangipahoa, Tensas, Union, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Carroll, and Winn Parishes, where no total soil-depleting acreage allotments will be determined under the 1941 program, a deduction of \$5.00 shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than 21 percent of the cropland on the farm. Such deduction shall apply only to farms having a cotton, rice, or potato allotment.

The following crops, **except those seeded in the fall of 1941**, when grown in a workmanlike manner on cropland and the following land uses carried out on cropland may qualify as erosion-resisting or soil-conserving crops and land uses :

1. Rotation pasture or hay crops consisting of biennial or perennial legumes and perennial grasses or common ryegrass.
2. Biennial or perennial legumes planted alone.
3. Lespedeza, cowpeas, crotalaria, sweetclover, and velvetbeans.
4. Soybeans from which seed is not harvested by mechanical means.
5. Oats, barley, or rye seeded in the fall of 1940 and
 - (a) Used as a nurse crop for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut green for hay, or
 - (b) Seeded in a mixture containing at least 25 percent by weight of winter legume seeds and harvested for hay or turned under, or
 - (c) Turned under as a green manure crop, or
 - (d) Grazed and not harvested for grain or hay.
6. Winter legumes, **other than those seeded in the fall of 1941**.
7. Forest trees planted on cropland under the 1940 or 1941 program, **other than those planted in the fall of 1941**, provided there is a stand of at least 70 percent of the number of trees per acre required to be planted under soil-building practice 18.
8. Fallow rice land.
9. Cropland on which approved terraces are constructed under the 1941 program and on which no crop, **other than the erosion-resisting or soil-conserving crops listed above**, is grown.

The above crops and land uses may qualify if grown or carried out on cropland from which another crop is grown but acreages of these crops interplanted with row crops, other than erosion-resisting or soil-conserving crops listed above, shall not qualify. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 15, the acre will count as 3 acres

toward meeting the minimum requirement, provided no soil-depleting crop is grown on the same acre.

Section 8. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the parish in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the parish to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the parish, or administrative area, a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the parish with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

(1) **70 cents** per acre of cropland in excess of the sum of (a) the allotments for cotton, rice, and potatoes with respect to which payments are computed, and (b) the acreage of sugarcane for sugar grown on the farm in 1941;

(2) **\$1.35** per acre of commercial orchards on the farm;

(3) **25 cents** per acre of fenced noncrop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 18, not to exceed **\$15.00**.

If for any farm with respect to which the sum of the maximum payments computed for cotton, rice, commercial vegetables, and potatoes and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes or grasses seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a pre-

vious program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the parish or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940 to November 30, 1941, inclusive, in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of** the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture:

(a) **48 pounds of available phosphate (P_2O_5)—\$1.50.** Some materials which will supply this amount of phosphate are: 267 pounds of 18 percent superphosphate, 240 pounds of 20 percent superphosphate, or one bag containing not less than 100 pounds of triple superphosphate furnished by the AAA.

(b) **500 pounds of basic slag—\$1.50.**

SPECIFICATIONS: The material must be evenly distributed and may be applied only to the eligible crops grown alone or in mixtures of these crops. In the case of lespedeza seeded alone, winter legumes, common ryegrass, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the small grain is harvested nor after June 15. The material may be applied to volunteer lespedeza or crotalaria if the application is made between January 1 and June 15, 1941. Credit will not be given for the application of these materials to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Winter legumes seeded in row-crop middles are considered as grown alone. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)—\$3.00.**

SPECIFICATIONS: The limestone must be 90 percent or more calcium carbonate equivalent. If limestone of lower grade than this is used, it must be applied in amounts sufficient to supply the calcium carbonate equivalent to the above.

The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone
- 1,400 pounds of hydrated lime
- 2,000 pounds of ground oyster shells.

Ground limestone and oyster shells must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve.

Seedings

3. Seeding winter legumes—\$1.50 per acre.

SPECIFICATIONS: Winter legumes must be seeded not later than November 30 in Avoyelles, Rapides, and Vernon Parishes and the parishes south thereof; and November 10 for all parishes north of the named parishes. The minimum seeding rates per acre are as follows:

- Hairy vetch—15 pounds
- All other vetches—25 pounds.
- Austrian winter peas—30 pounds
- Bur-clover (in the bur)—5 bushels (50 pounds)
- Melilotus indica—20 pounds
- Crimson clover—20 pounds
- Singletary winter peas—25 pounds

All winter legumes must be properly inoculated at the time of planting. All land subject to erosion should, where practicable, be seeded on beds on the contour. Phosphate or lime must be applied to winter legumes in fields where there is a known deficiency of this material, and if applied in accordance with the specifications credit will be given for this material under practice 1 or 2.

4. Seeding annual lespedeza—\$1.00 per acre.

SPECIFICATIONS: Annual lespedeza must be seeded not later than March 31, 1941, and at not less than 25 pounds per acre. At least a 75-percent stand of lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940. No credit will be given for carrying out this practice in 1941 on land on which practice payment is made under practice 10 or 11, or on which a permanent pasture is already established.

5. Seeding crotalaria—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 30, 1941, and at not less than 20 pounds per acre broadcast. Where there is a known deficiency of phosphate, it must be applied. Credit will be given for applying the phosphate under practice 1 if applied in accordance with the specifications for such practice.

6. Seeding lespedeza sericea—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Where there is a known deficiency of phosphate or lime, this material must be applied. The application of lime or phosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. Seeding adapted varieties of alfalfa—\$1.50 per acre.

SPECIFICATIONS: Minimum rate of seeding is 20 pounds per acre. The land should be prepared in accordance with good farming practices well in advance of planting and maintained in a good state of cultivation until planting date. Alfalfa must be seeded in the fall and must be properly inoculated. In those fields where there is a known deficiency of lime or phosphate, this material must be applied. If applied in accordance with the specifications, credit will be given for this material under practice 1 or 2.

8. Establishment of a permanent vegetative cover by planting kudzu—\$4.50 per acre.

SPECIFICATIONS: 200 pounds of 16 percent phosphate (or its equivalent) and 1,000 pounds of barnyard manure must be applied per acre to the kudzu at the time of planting. There must be a survival of at least 300 well-distributed crowns or seedlings of kudzu per acre which, under normal conditions, requires planting at least 500 crowns or seedlings. The land must be in a good state of cultivation before the crowns or seedlings are planted. The kudzu must be cultivated until the ground is covered by the vines. Credit will be given for phosphate if applied to kudzu in accordance with practice 1.

9. Seeding red clover—75 cents per acre.

SPECIFICATIONS: The minimum rate of seeding for red clover is 10 pounds per acre. Red clover must be seeded not later than November 30 in Avoyelles, Rapides, and Vernon Parishes and the parishes south thereof; and November 10 for all parishes north of the named parishes. Red clover must be properly inoculated at the time of seeding.

Pasture

10. Seeding permanent pasture mixtures containing a full seeding of Dallis, Bermuda, or carpet grass—\$3.00 per acre.

SPECIFICATIONS: Establishing a pasture shall be accomplished by seeding a mixture of perennial grasses and clovers, as specified below, on land prepared in a workmanlike manner. The minimum preparation on the more easily prepared soils shall consist of double disk harrowing or its equivalent.

(a) For Upland Soil:

Lespedeza—12 pounds per acre

Other clovers—8 pounds per acre

Carpet or Bermuda grass—5 pounds per acre; or

Dallis grass—10 pounds per acre

(b) For all other soils:

Clovers (excluding lespedeza) 10 pounds per acre

Dallis grass—10 pounds per acre

Clovers which may be used in the above mixtures are as follows: White Dutch, hop, Persian, black medic, red, and alsike.

11. Reseeding depleted pastures with good seed of adapted pasture grasses or perennial legumes or approved pasture mixtures—15 cents per pound.

SPECIFICATIONS: Any of the legumes listed herein, except lespedeza, may be seeded alone. A mixture of any combination of the grasses or legumes listed herein will also qualify if the mixture does not contain more than 50 percent by weight of lespedeza or of grasses.

(a) Grasses: Carpet, Dallis, Bermuda

(b) Legumes: Lespedeza, white Dutch clover, hop clover, Persian clover, black medic clover, red clover, and alsike clover

Producers shall supply sales receipts for the kind and quantity of grass and legume seed used, and such receipts shall be required to support the performance records. If home-grown seed is used, a signed statement acknowledged before an officer of the parish association shall be required to support the performance records.

12. Contour ridging or terracing noncrop open pasture land—1,000 linear feet of ridge or terrace \$1.50.

SPECIFICATIONS: (a) Contour ridges will not be accepted on pasture land where the slope exceeds 20 percent or is less than 2 percent and must be laid off on the level.

(b) Horizontal spacing between contour ridges must not exceed 20 feet on the more gentle slopes, and on the steeper slopes must not exceed 10 feet.

(c) Base width of contour ridges must be from 6 to 12 feet wide; 6 feet on the steeper slopes, and 12 feet on the more gentle slopes. The ridges must be 10 inches in height measured from the bottom of the water channel to the top of the ridge.

(d) On badly eroded land, contour ridges must be constructed with ends curved uphill. Contour ridges must not extend across a gully, but rather the ends must be curved up to divert water from the gully.

13. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.

SPECIFICATIONS: Pastures shall consist of a mixture of perennial grasses and pasture legumes and shall be mowed twice each year or more often, if necessary, to control weeds, shrubs, bushes, etc. The plants mowed are neither to be used for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

14. Development of noncrop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.

SPECIFICATIONS: (a) The noncrop open pasture land to qualify under this practice must have prior approval of the county committee and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species, and the original condition of the area must be such that a satisfactory sod could not be established nor the area mowed without the removal of the brush, vines, trees, or loose stones.

(c) The area approved under this practice must also be seeded in accordance with the specifications for practice 10.

(d) At least 48 pounds of available P_2O_5 or 500 pounds of basic slag per acre must be applied where there is a known deficiency of phosphate. Lime must also be applied if the pH is below 6.

(e) The area approved must be adequately fenced.

Erosion Control

15. Construction of standard terraces for which proper outlets are provided—100 linear feet of terrace 75 cents.

SPECIFICATIONS: (a) Terraces constructed on cropland with a slope in excess of 8 percent will not be approved, except that the terracing of small areas with a slope in excess of 8 percent in fields where it is necessary to include these areas in order to complete the terrace system may be approved.

(b) The vertical spacing of terraces on slopes up to 4 percent will be determined by the formula $\frac{\text{slope}+2}{2}$; on slopes above 4 percent the formula $\frac{\text{slope}+2}{4}$ will be used. The table below is based on this formula.

Slope of land in feet per hundred feet	Vertical interval or drop between terraces	Approximate horizontal distance between terraces
1-----	1 foot 6 inches-----	150 feet.
2-----	2 feet-----	100 feet.
3-----	2 feet 5 inches-----	83 feet.
4-----	3 feet-----	75 feet.
5-----	3 feet 3 inches-----	65 feet.
6-----	3 feet 6 inches-----	58 feet.
7-----	3 feet 9 inches-----	54 feet.
8-----	4 feet-----	50 feet.

Vertical spacing may be varied 6 inches either way to avoid obstructions or to reach suitable outlets.

(c) The variable grade for the terrace channel must not exceed 3 inches for 100 linear feet, except in exceptional cases where the length of the terrace is extended in order to obtain a suitable outlet.

(d) The length of the terrace shall not exceed 1,600 linear feet in one direction except where necessary to obtain a suitable outlet.

(e) The width of the terraces must not be less than 18 feet. Measurements will be made at the narrowest points in the terraces. Measurements will be taken from the upper edge of the water channel to the bottom edge of the terrace.

(f) The settled height of the terrace shall not be less than 18 inches as measured from the bottom of the water channel. A settled height of less than 18 inches will be acceptable in Nichols or drainage type terraces if the cross section capacity of the terrace channel is 10 square feet plus 1 square foot for each additional 100 feet over 1,000 feet in length of the terrace draining in one direction. Measurements will be made from the lowest points in the terraces.

(g) Proper terrace outlets must be constructed. Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture strip should be developed for outlet control. Where the above conditions are not possible or practical, a sodded channel must be established. The outlet ends of all terrace channels shall be protected, preferably by sod.

Green Manure and Cover Crops

16. Green manure and cover crops of legumes, or mixtures of winter legumes and oats or rye—\$1.50 per acre.

SPECIFICATIONS: Credit will not be given for soybeans from which the seed is harvested by mechanical means, peanuts, truck crops, crotalaria, lespedeza, or any crop for which credit is given in 1941 under any other practice. The crops that may qualify under this practice are as follows: Oats or rye grown in combination with 25 percent of vetch or other suitable winter legume, winter legumes such as vetch, Austrian or other winter peas, melilotus and bur-clover; crimson clover and red clover; and summer legumes such as cowpeas, soybeans, velvetbeans, and sesbania. A summer legume turned under on land subject to erosion must be followed by a winter cover crop. A good stand and good growth of the green manure or cover crop must be obtained and left on the land or turned under. A good stand and good growth means a stand and growth which makes approximately $\frac{2}{3}$ ton per acre of air-dry hay.

17. Cowpeas, velvetbeans, soybeans, or crotalaria, interplanted or grown in combination with intertilled crops—30 cents per acre.

SPECIFICATIONS: The legumes must be planted not later than May 31, and a good stand and good growth must be obtained, and the vines not harvested. A good growth means approximately $\frac{1}{2}$ ton per acre of air-dry material.

Forestry

18. Planting forest trees—

(a) Pines—\$4.50 per acre.

(b) Red cedar, black locust, yellow poplar, white and green ashes, red and white oaks, catalpa, and Bois D'Arc—\$6.00 per acre.

SPECIFICATIONS: **Time of planting:** Planting to be done during the dormant season.

Number and spacing: At least 1,000 trees per acre must be planted of pines, black locust, catalpa, or Bois D'Arc, and 700 per acre of all other hardwood species. This calls for spacings of about 6 by 7 feet apart for the pines, black locust, catalpa, and Bois D'Arc and 8 by 8 feet apart for all other hardwoods.

Method of planting: For planting black locust and other hardwoods, the ground shall be flat-broken or wide-bedded with plow at least 2 months in advance of planting. For pines no preparation is required. Ample holes shall be dug to take all roots without curling main taproot. Dirt shall be drawn into hole and thoroughly packed around roots without injury. **Trees must be set tight in the ground.**

Cultivation: The hardwoods must be cultivated twice during the first growing season.

Protection: The plantings must be adequately protected against injury from fire and livestock.

Survival: There must be a survival at the time performance is checked in the fall of 1941 of at least 70 percent of the number of trees required to be planted.

Trees purchased from a State nursery may qualify under this practice.

19. Cultivating, protecting, and maintaining hardwood trees planted between January 1, 1940, and November 30, 1940—\$1.50 per acre.

SPECIFICATIONS: (a) Trees must be cultivated twice between May and August.

(b) A stand composed of **not less than 500 hardwood trees per acre** must be maintained, by replanting if necessary, with seedlings of the same species between December 1, 1940, and March 1, 1941.

(c) The trees must be protected adequately to prevent damage by fire. All plantings of hardwood species must be fully protected from livestock by the construction of fences, if necessary. Firebreaks must be constructed by plowing or burning on sides adjacent to woodlands or fields having a fire hazard.

Miscellaneous

20. Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 per garden.

SPECIFICATIONS: (a) There must be at least one-fourth acre of garden for each family.

(b) The garden shall be planted in one piece of ground and be in production as nearly as possible throughout the year. A standard garden should contain at least 12 different vegetables, and there must be evidence of 6 different vegetables at the time performance is checked. Adequate protection from livestock must be provided.

(c) The soil must be properly plowed and worked before seeding and must be kept free of weeds and in a good state of cultivation after planting.

21. Construction of lateral ditches and lead canals on cropland—5 cents per cubic yard of dirt moved.

[This practice is applicable only to those farms where the maximum payment that may be earned under the conservation program does not exceed \$20.00.]

The owner or operator of a farm on which credit for this practice is desired must secure written approval of the county committee prior to beginning construction.

SPECIFICATIONS: (a) Lateral ditches and lead canals must drain properly.

(b) Ditches to qualify under this practice must have a top width equal to the bottom width plus the depth.

(c) Payment will be made only with respect to the ditches or canals within the bounds of the cropland.

Section 9. SOIL-DEPLETING ACREAGE

(a) **Soil-depleting acreage** means the acreage of land devoted during the 1941 crop year to one or more of the following crops. Land from which a volunteer crop is harvested shall be classified as if the crop were planted.

(1) Corn planted for any purpose, except roasting ear corn or popcorn grown in home gardens for use on the farm.

(2) Grain sorghums planted for any purpose.

(3) Land considered as planted to cotton in accordance with the definition of acreage planted to cotton on page 2. Other land on which all of the cotton produced is determined to staple 1½ inches or more in length.

(4) Sugarcane grown for any purpose.

(5) Rice planted for any purpose.

(6) Peanuts dug for any purpose, except when grown in home gardens for use on the farm.

(7) Annual truck and vegetable crops planted for any purpose and perennial vegetables harvested for any purpose, except when grown in home gardens for use on the farm.

(8) Potatoes planted for any purpose, except when grown in home gardens for use on the farm.

(9) English peas planted for canning or freezing, except when used as green manure or grown in home gardens for use on the farm.

(10) Small grains:

(a) Wheat, oats, barley, rye, or mixtures of these crops, harvested for grain.

(b) Wheat, oats, barley, rye, or mixtures of these crops, harvested for hay, except when (i) lespedeza is seeded in a workmanlike manner before the small grain is cut, and the small grain is cut not later than the early milk stage or (ii) grown in a mixture containing at least 25 percent by weight of vetch or Austrian winter peas.

(11) Sudan grass or millet harvested for grain or seed.

(12) Sweet sorghums harvested for any purpose. A summer legume and sweet sorghum mixture harvested for hay will not be considered as sweet sorghums, provided less than one-half of the harvested mixture is composed of sweet sorghums.

(13) Commercial bulbs and flowers and strawberries harvested for any purpose.

(14) Tobacco harvested for any purpose.

(b) If one soil-depleting crop is followed by another soil-depleting crop on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded.

(c) If more than one soil-depleting crop occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop, except that:

(1) If a soil-depleting crop (other than commercial vegetables) is grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are less than 7 feet apart, cotton shall be considered to occupy all of the land;

(2) If commercial vegetables (or potatoes) and sugarcane or commercial vegetables (or potatoes) and another crop for which a special acreage allotment is determined are grown on the same acreage, all of the land shall be considered as planted to sugarcane or the crop other than commercial vegetables (or potatoes) for which the special acreage allotment is determined, and in addition, all of the land shall be considered as planted to commercial vegetables (or potatoes) if the commercial vegetables (or potatoes) are planted in rows of less than twice the normal width for planting the crop alone. If the commercial vegetables (or potatoes) are planted in rows at least twice the normal width for planting the crop alone, only half the land shall be considered as planted to commercial vegetables (or potatoes).

(d) Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

(e) If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil depleting, the entire acreage of land shall be classified as soil depleting; except that where strips of soil-depleting crops, alternating with strips of legumes or other crops not classified as soil depleting are 3 rows (10 feet) or more apart, the acreage occupied thereby is classified

in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point $1\frac{3}{4}$ feet from the outside of the strip of soil-depleting crop); provided that if peanuts (whether or not soil depleting) are grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are 7 feet or more apart, the land shall be classified in accordance with the actual acreage occupied by each crop.

Section 10. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to cotton, rice, Irish potatoes, wheat, commercial vegetables, and general crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by the acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, for an excess acreage of general crops or for insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton, rice, Irish potato, and commercial vegetable allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more

than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears prorated among the persons for whom a net payment is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 11. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1. 00 to \$1. 99-----	\$0. 40	\$19. 00 to \$19. 99-----	\$7. 60
\$2. 00 to \$2. 99-----	. 80	\$20. 00 to \$20. 99-----	8. 00
\$3. 00 to \$3. 99-----	1. 20	\$21. 00 to \$21. 99-----	8. 20
\$4. 00 to \$4. 99-----	1. 60	\$22. 00 to \$22. 99-----	8. 40
\$5. 00 to \$5. 99-----	2. 00	\$23. 00 to \$23. 99-----	8. 60
\$6. 00 to \$6. 99-----	2. 40	\$24. 00 to \$24. 99-----	8. 80
\$7. 00 to \$7. 99-----	2. 80	\$25. 00 to \$25. 99-----	9. 00
\$8. 00 to \$8. 99-----	3. 20	\$26. 00 to \$26. 99-----	9. 20
\$9. 00 to \$9. 99-----	3. 60	\$27. 00 to \$27. 99-----	9. 40
\$10. 00 to \$10. 99-----	4. 00	\$28. 00 to \$28. 99-----	9. 60
\$11. 00 to \$11. 99-----	4. 40	\$29. 00 to \$29. 99-----	9. 80
\$12. 00 to \$12. 99-----	4. 80	\$30. 00 to \$30. 99-----	10. 00
\$13. 00 to \$13. 99-----	5. 20	\$31. 00 to \$31. 99-----	10. 20
\$14. 00 to \$14. 99-----	5. 60	\$32. 00 to \$32. 99-----	10. 40
\$15. 00 to \$15. 99-----	6. 00	\$33. 00 to \$33. 99-----	10. 60
\$16. 00 to \$16. 99-----	6. 40	\$34. 00 to \$34. 99-----	10. 80
\$17. 00 to \$17. 99-----	6. 80	\$35. 00 to \$35. 99-----	11. 00
\$18. 00 to \$18. 99-----	7. 20	\$36. 00 to \$36. 99-----	11. 20

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$37. 00 to \$37. 99-----	\$11. 40	\$50. 00 to \$50. 99-----	\$13. 00
\$38. 00 to \$38. 99-----	11. 60	\$51. 00 to \$51. 99-----	13. 10
\$39. 00 to \$39. 99-----	11. 80	\$52. 00 to \$52. 99-----	13. 20
\$40. 00 to \$40. 99-----	12. 00	\$53. 00 to \$53. 99-----	13. 30
\$41. 00 to \$41. 99-----	12. 10	\$54. 00 to \$54. 99-----	13. 40
\$42. 00 to \$42. 99-----	12. 20	\$55. 00 to \$55. 99-----	13. 50
\$43. 00 to \$43. 99-----	12. 30	\$56. 00 to \$56. 99-----	13. 60
\$44. 00 to \$44. 99-----	12. 40	\$57. 00 to \$57. 99-----	13. 70
\$45. 00 to \$45. 99-----	12. 50	\$58. 00 to \$58. 99-----	13. 80
\$46. 00 to \$46. 99-----	12. 60	\$59. 00 to \$59. 99-----	13. 90
\$47. 00 to \$47. 99-----	12. 70	\$60. 00 to \$185. 99-----	14. 00
\$48. 00 to \$48. 99-----	12. 80	\$186. 00 to \$199. 99-----	(1)
\$49. 00 to \$49. 99-----	12. 90	\$200. 00 and over-----	(2)

¹ Increase to \$200.00.² No increase.

Section 12. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Louisiana shall not exceed the sum of \$10,000, prior to deduction for association expenses in the parish or parishes with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the parish or parishes with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 13. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same parish. The net deduction computed for any landlord, tenant, or sharecropper under sections 1 to 8, inclusive, shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the parish.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a parish shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 14. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the parish agricultural conservation association in the parish in which the farm is located.

Section 15. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the parish. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 16. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

- (1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which

the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

- (3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

- (6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

- (7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

- (11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to

any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such person owns or operates in a parish if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secre-

tary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted, or caused or permitted the planting of, cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants, or causes or permits the planting of, cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose), and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge, but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of sections 1 to 6, inclusive, in any case where, through error in a parish or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 17. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 10, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the parish office on or before March 31, 1942, for farms for which work sheets are on file in the parish office executed under previous agricultural conservation programs or executed not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops

grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the parish office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a parish and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the parish, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 18. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) Eligibility to file an application for payment; (b) any cotton, rice, Irish potato or commercial vegetable allotment, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 19. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the parish or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the parish or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof, and in the case of rice also means a person furnishing water for a share of the rice.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation. Land tilled in the fall of 1940 shall not be classified as cropland unless such land would otherwise be classified as cropland.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, rice, Irish potato, wheat, and commercial vegetable acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 20. AUTHORITY, AVAILABILITY OF FUNDS, AND
APPLICABILITY

A. Authority. Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Louisiana in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds. The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability. The provisions of this handbook (except sections 12 and 16A) are applicable only to farms in Louisiana, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Administration on November 6, 1940, and Supplements 1 and 2 thereto.

I. W. DUGGAN,
Director, Southern Division.

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Mississippi Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION



**Program effective from December 1, 1940
to November 30, 1941**



Issued December 1940



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

TO THE FARMERS OF MISSISSIPPI:

This publication contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the critical year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program.

The provisions outlined in this handbook blend into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your industry and intelligence and to coordinate your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly and concisely the details of the program in Mississippi. It outlines your opportunities and your responsibilities as a cooperating producer.

With your hearty interest in the day-to-day operations of the program, this handbook can assist you to use the program provisions more effectively and thereby make a better living from your farm. Its intelligent use by every farmer should make it possible to achieve all the goals set forth in the Foreword, and result in greater happiness and security for all.

MISSISSIPPI AGRICULTURAL CONSERVATION COMMITTEE,

W. H. STOVALL, *Chairman*, Coahoma County,

D. C. ALSOBROOK, Hinds County.

J. A. HARDY, Lowndes County.

C. L. NEILL, Jones County,

E. H. WHITE, *Director of Extension*,

T. M. PATTERSON, *Administrative Officer in Charge*.

FOREWORD

The 1941 Agricultural Conservation Program in Mississippi is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, National, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

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MISSISSIPPI HANDBOOK

1941 Agricultural Conservation Program

Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm in the county or administrative area is a uniform fixed percentage of the farm's cropland with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. A permitted acreage will be determined for each "new" cotton farm for which application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if written applications are received in the county office after February 1, 1941, provided any reserve is available at the time the applications are filed.

In no case will the permitted acreage to a "new" cotton farm be greater than an acreage equal to 50 percent of the county cotton factor times the tilled acreage in the farm, except (1) in cases where the permitted acreage would otherwise be 5 acres or less, (2) in cases where the permitted acreage would otherwise be more than 5 acres, the permitted acreage shall not be less than 5 acres if the acreage reserve is sufficient therefor, and (3) in cases where the farm which the producer operated in 1940 was one of several adjoining farms in an area which were purchased by a State or Federal agency to be retired from crop production and in 1941 the producer is operating a "new" cotton farm.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments and deductions. The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or turpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding legumes other than pea-

nuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than 13½ feet apart (measured from the drill); if the rows or strips of cotton are 13½ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

Section 2. COMMERCIAL VEGETABLES

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Copiah, Hinds, and Lauderdale counties, designated as commercial vegetable counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936–1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county, including farms on which vegetables were not grown in the period 1936–1940, inclusive, shall not exceed the county limit.

B. Payments and deductions. The payment is \$1.30 for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of \$20.00 for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetable or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of trucks crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (2) cucumbers, snap beans, turnips, and spinach, which are

grown for processing under a written contract with a processing plant and for which written evidence of delivery to the processing plant is made available to the county committee, and (3) dried beans, cowpeas, black-eyed peas, watermelons, sweetpotatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily inter-tilled (including cotton, corn, and peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time are grown in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than $13\frac{1}{2}$ feet apart; if the rows or strips of commercial vegetables are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to both cotton and commercial vegetables.

Section 3. WHEAT

There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield as determined by the county committee for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (1) the usual acreage of wheat determined by the county committee for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm. **Consult your county committee if your present plans provide for harvesting more than 10 acres of wheat.**

Section 4. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In Mississippi, where no total soil-depleting acreage allotments will be determined under the 1941 program, a deduction of **\$5.00** shall be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than **25 percent** of

the cropland on the farm. Such deduction shall apply only to farms having a cotton allotment.

The following crops, **other than those planted in the fall of 1941**, when grown and cared for in a workmanlike manner **on cropland** will count toward meeting this requirement:

1. Biennial or perennial legumes and perennial grasses
2. Lespedeza, crotalaria, cowpeas, sweetclover, and velvetbeans
3. Soybeans from which seed is not harvested by mechanical means
4. Winter legumes
5. Small grains seeded in the fall of 1940 which are (a) used as a nurse crop for legumes and the nurse crop is cut green for hay, (b) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (c) grazed and not harvested for grain or hay, or (d) turned under as a green manure crop
6. Forest trees planted on cropland under the 1940 or 1941 program other than those planted in the fall of 1941

Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but acreages of these crops interplanted with corn shall not qualify.

Cropland on which approved terraces are constructed under the 1941 program and on which no crops other than one or more of the erosion-resisting or soil-conserving crops listed in this section are grown in 1941 will count toward meeting this requirement. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 16, the acre will count as 3 acres toward meeting the minimum requirement.

Section 5. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only for carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

- (1) **70 cents** per acre of cropland in excess of the cotton allotment for which a payment is computed;
- (2) **\$1.35** per acre of commercial orchards on the farm;
- (3) **25 cents** per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;
- (4) The amount earned by planting forest trees in accordance with practice 21, not to exceed **\$15.00**.

If for any farm the sum of the maximum payments computed for cotton and commercial vegetables and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established, under previous agricultural conservation programs are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940 to November 30, 1941, inclusive, in accordance with the specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of the following materials to, or in connection with the seeding of, perennial or biennial legumes, winter legumes, lespedeza, crotalaria, or permanent pasture:**

- (a) **48 pounds of available phosphate (P_2O_5)—\$1.50.** Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or 1 bag of not less than 100 pounds of triple superphosphate furnished by the AAA.
- (b) **500 pounds of basic slag—\$1.50.**

SPECIFICATIONS: The material must be applied evenly over the area on which application is made. When applied to permanent pasture, the application of material must be immediately followed by light disking. In the case of lespedeza seeded alone, winter legumes, and crotalaria, application must be at or before the time of seeding. The material may be applied to volunteer lespedeza or volunteer crotalaria if application is made prior to June 1, 1941. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. In the case of lespedeza seeded with small grains, the material must not be applied before the grain is harvested nor after June 15, 1941. The crops to which the material is applied must not be grown with an intertilled crop. Winter legumes seeded in row-crop middles are not considered as being grown with an intertilled crop. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)—\$2.50.**

SPECIFICATIONS: The ground limestone must be 90 percent or more calcium carbonate equivalent. If limestone of lower grade is used, it must be applied in amounts sufficient to supply the calcium carbonate equivalent of the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone
- 1,400 pounds of hydrated lime
- 2,000 pounds of ground oyster shells
- 3,000 pounds of calcium silicate slag

The above materials must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve. The rate of application must be between 500 and 2,000 pounds of ground limestone per acre, or its equivalent. Limestone applied to permanent pasture must be immediately followed by light disking.

Seedings

3. **Seeding winter legumes—\$1.50 per acre, except that on farms not using lime or phosphate in connection with this practice in accordance with specifications in areas where these materials are required, the rate will be \$1.12 per acre.**

SPECIFICATIONS: Winter legumes must be seeded not later than November 15 at the following minimum rates per acre:

Vetch	25 pounds
Austrian winter peas	35 pounds
Clean crimson clover (or its equivalent in chaffy seed)	20 pounds
Burr-clover (in the burr)	10 bushels
Wild winter peas	25 pounds of scarified seed

Unless a successful crop of vetch or Austrian winter peas has been grown on the land within the past year, the seed of these crops must be properly inoculated at planting time. Crimson clover must be inoculated in all cases.

The application of at least 200 pounds per acre of 16 percent superphosphate (or its equivalent), and at least 500 pounds per acre of ground limestone (or its equivalent), to a minimum of 25 percent of the acreage seeded to winter legumes, on any particular farm is required for full payment except in Adams, Bolivar, Claiborne, Coahoma, Humphreys, Issaquena, Jefferson, Leflore, Quitman, Sharkey, Sunflower, Tunica, Warren, Washington, and Wilkinson counties; and the portions of Yazoo, Holmes, Carroll, Grenada, Tallahatchie, Panola, Tate, and DeSoto counties lying in the Mississippi Delta. The use of liming materials is not required in the black land areas of Chickasaw, Clay, Lee, Lowndes, Monroe, Noxubee, and Oktibbeha counties.

If the land has been limed during the preceding 4-year period by the application of 500 pounds per acre of ground limestone (or its equivalent in other liming materials listed under practice 2), liming will not be required. The application of 500 pounds per acre of basic slag will meet requirements of both superphosphate and ground limestone. Producers shall supply sales receipts or other acceptable evidence showing the kind, quantity, and quality of seed used and such receipts or evidence shall be required to support the performance record. Credit will be given for the application of these materials under practice 1 or 2 if applied in accordance with the specifications for such practice.

4. Seeding annual lespedeza—\$1.00 per acre.

SPECIFICATIONS: Annual lespedeza must be seeded at not less than 25 pounds per acre. To qualify under this practice, lespedeza must be seeded before March 25 in areas south of Highway 82, and before April 25 in areas north of Highway 82. At least a 75 percent stand of lespedeza must be growing at the time performance is checked. No payment will be made for carrying out this practice on land with respect to which practice payment is made under practice 9, 10, 11, 12, or 13 in 1941 or on which permanent pasture is already established.

5. Seeding crotalaria—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in accordance with good farming practices in advance of planting time. Crotalaria must be seeded not later than June 1, 1941, and at not less than either 20 pounds per acre broadcast, or 10 pounds in rows which must be cultivated.

6. Seeding lespedeza sericea—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than April 30, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Lespedeza sericea must be inoculated in all cases and where there is a known deficiency of either phosphate or lime, this material must be applied. The application of either superphosphate or liming materials will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. Seeding adapted varieties of alfalfa—\$1.50 per acre.

SPECIFICATIONS: Alfalfa must be inoculated and seeded at a minimum rate of 20 pounds per acre. The land must be prepared in accordance with good farming practices well in advance of planting time and maintained in a good state of cultivation.

8. Establishing a permanent vegetative cover of kudzu—\$4.50 per acre.

SPECIFICATIONS: Kudzu crowns must not be less than 2 years old, and seedlings must not be less than $\frac{3}{8}$ inch in diameter. Land must be well prepared and fertilized with a minimum application per acre of 300 pounds of 16 percent superphosphate (or its equivalent) or 400 pounds of basic slag. The application of these materials will qualify under practice 1 if applied in accordance with specifications for such practice. There must be a minimum of 300 evenly distributed kudzu plants per acre showing proper seasonal cultivation and healthy growth at time performance is checked in the fall. To obtain this survival, it is usually necessary to plant at least 500 crowns or seedlings to each acre during the dormant season.

9. Seeding white clover or Ladino clover—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared to form a good firm seedbed before planting time. The seed must be inoculated and seeded alone at the minimum rate of 6 pounds per acre and by October 15, 1941, if seeded in the fall, and by March 31, 1941, if seeded in the spring.

Fertilization: In all areas of the State except those exempted under practice 3, at least 300 pounds of 16 percent superphosphate (or its equivalent) and at least 500 pounds of ground limestone (or its equivalent) must be applied per acre and worked into the soil prior to seeding. The application of 500 pounds per acre of basic slag will meet the requirements of both superphosphate and ground limestone. The application of phosphate and liming material will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

10. Seeding annual or biennial sweetclover, alsike clover, or Persian clover—75 cents per acre.

SPECIFICATIONS: The minimum seeding rates per acre are as follows:

Annual or biennial sweetclover-----	20 pounds
Alsike clover-----	10 pounds
Persian clover-----	5 pounds

Annual sweetclover must be inoculated in all cases. The seed must be planted on adapted soils. Biennial sweetclover must be seeded on natural lime soils or where sufficient lime has been applied to warrant good growth. No credit will be given for carrying out this practice in 1941 on land on which practice 4 or 9 is carried out in 1941 or previous programs. Credit will not be given for seeding more than one of the above crops on the same land.

Pasture

11. Seeding permanent pasture mixtures containing a full seeding of clovers and grasses—\$3.00 per acre, except that on farms not using lime or phosphate in connection with this practice in accordance with specifications in areas where these materials are required, the rate will be \$2.25 per acre.

SPECIFICATIONS: Permanent pasture under this practice must be established by seeding to a mixture of the following perennial grasses and clovers according to soil conditions. The mixtures below give the minimum rate of seeding. Non-cropland to be seeded to permanent pasture shall be stirred by double harrowing, or its equivalent. Producers shall supply sales receipts or other acceptable evidence showing the kind, quantity, and quality of grass and legume seed used and such receipts or evidence shall be required to support the performance record. 400 pounds of mature Dallis grass hay used as a mulch may be substituted for the specified number of pounds of Dallis grass seed in the mixtures listed below:

Lime soils (as in Delta, Northeast Prairie, and Central Prairie Sections)—

Seed Mixture:	Pounds Per Acre
Dallis grass-----	8
White Dutch clover-----	3
Black medic-----	2
Lespedeza-----	6
White sweetclover (biennial)-----	5

Neutral to slightly acid soils (as in Brown Loam, Delta, Northeast Prairie, and Central Prairie Sections)—

Seed Mixture:	Pounds Per Acre
Dallis grass-----	12
White Dutch clover-----	3
Lespedeza-----	10

Acid fertile upland and valley soils—

	<i>Pounds Per Acre</i>
Seed Mixture:	
Dallis grass-----	10
White Dutch clover-----	3
Yellow hop clover-----	2
Lespedeza-----	10

Acid non-fertile upland and valley soils—

	<i>Pounds Per Acre</i>
Seed Mixture:	
Dallis grass-----	12
White Dutch clover-----	2
Yellow hop clover-----	3
Lespedeza-----	10

Low, sandy, non-fertile soils (as in parts of South Mississippi)—

	<i>Pounds Per Acre</i>
Seed Mixture:	
Dallis grass-----	10
Yellow hop clover-----	2
Lespedeza-----	12
White Dutch clover-----	3

On acid non-fertile upland and valley soils and low, sandy, non-fertile soils (as in parts of South Mississippi) a minimum of 500 pounds of basic slag, or 200 pounds of 16 percent superphosphate (or its equivalent) and 500 pounds of ground limestone (or its equivalent) must be applied and worked into the soil on all acreage to be seeded to pasture mixtures. In all other areas except those exempted under practice 3, at least 200 pounds per acre of 16 percent superphosphate (or its equivalent), and at least 500 pounds per acre of ground limestone (or its equivalent), must be applied to a minimum of 25 percent of the acreage seeded to permanent pasture mixtures. The application of 500 pounds per acre of basic slag will meet the requirements of both superphosphate and ground limestone. Lime and phosphate materials applied under this practice will qualify for payment under practice 1 or 2 if applied in accordance with the specifications for such practice.

12. Establishing permanent vegetative cover by seeding mixtures of clovers and grasses and planting sod pieces of perennial grasses—\$4.50 per acre.

SPECIFICATIONS: Sod pieces must be planted in checks not more than 3 feet each way. The sod may be established by planting sod pieces or sprig sodding. In addition to sodding, a mixture of the legumes and grasses listed under practice 11 must be seeded at not less than half the rate specified for that practice, with no additional credit. Producers shall supply sales receipts or other acceptable evidence for the kind, quantity, and quality of grass and legume seed used and such receipts or evidence shall be required to support the performance record. 300 pounds of Dallis grass hay per acre cut at maturity and used as a mulch may be used in lieu of the required amount of Dallis grass seed in the seeding required under this practice. In connection with establishing permanent vegetative cover by seeding mixtures of clovers and grasses and planting sod pieces of perennial grasses in all areas of the State except those exempted under practice 3, at least 300 pounds per acre of 16 percent superphosphate (or its equivalent) and at least 500 pounds per acre of ground limestone (or its equivalent) must be applied. The application of 500 pounds per acre of basic slag will meet requirements of both superphosphate and ground limestone. Credit will be given for the application of these materials under practice 1 or 2 if applied in accordance with the specifications for such practice.

13. Development of non-crop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.

SPECIFICATIONS: (a) The non-crop open pasture land to qualify under this practice must have prior approval of the county committee and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must **not** carry a stand of potential timber trees of desirable species and the original condition of the area must be such that a satisfactory sod could not be established or the area mowed without the removal

of the brush, vines, and trees. Any such clearing as is needed must be done between December 1, 1940, and March 31, 1941, so that the area may be sodded and seeded during the 1941 program year.

(c) The area approved under this practice must also be seeded, or sodded and seeded in accordance with specifications for practice 11 or 12. Such seeding or seeding and sodding will qualify for payment under those practices.

(d) At least 200 pounds of 16 percent superphosphate (or its equivalent) and 500 pounds per acre of ground limestone (or its equivalent) must be applied to each acre in all areas in the State except those exempted under practice 3. The application of 500 pounds of basic slag will meet the requirements for both superphosphate and ground limestone. The application of these materials will qualify for payment under practice 1 or 2 if applied in accordance with specifications for such practice.

(e) The area approved must be adequately fenced by the time the pasture is established.

14. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.

SPECIFICATIONS: Pastures shall consist of mixtures of perennial grasses and pasture legumes and shall be mowed twice each year or more often, if necessary, to control weeds, shrubs, bushes, etc. The plants mowed are neither to be used for feeding purposes nor sold. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

15. Reseeding depleted pastures with good seed of adapted pasture grasses or legumes—15 cents per pound of seed sown.

SPECIFICATIONS: The seed mixtures used in this practice must be the same as those listed in practice 11, except that any one grass or legume listed in practice 11 may be excluded from the particular mixture. Land to be reseeded shall be prepared by disking or the equivalent. Producers shall supply sales receipts or other acceptable evidence for the kind, quantity, and quality of grass and legume seeds used, and such receipts or evidence shall be required to support the performance records. No credit will be given for carrying out this practice on the same land on which practice 9, 10, 11, 12, or 13 is carried out in 1941.

Erosion Control

16. Construction of standard terraces for which proper outlets are established—75 cents per 100 linear feet of terrace.

SPECIFICATIONS: (a) **Slope:** The construction of terraces on cropland will be approved for sandy soils on slopes not to exceed 8 percent and on clay soils not to exceed 10 percent slope. Terraces may be constructed on pasture land with slopes up to 10 percent for sandy soils and 15 percent for clay soils.

(b) **Location:** The terrace line location shall fall upon and conform to the belts of erosion symptoms—the upper rims of gullies, fingers, bald spots, and slope changes.

(c) **Grade:** The number of inches fall per 100 feet of terrace shall be the same as the number of feet of elevation spacing between terraces as described under (b) above. This number should not exceed 3. This rule is illustrated as follows:

Spacing:	Grade	Spacing:	Grade
1 foot-----	1 inch	2½ feet-----	2 inches
1½ feet-----	1 inch	3 feet-----	3 inches
2 feet-----	2 inches		

(d) **Direction:** Except where hazards of fences, property lines, ditches, and drainage problems forbid, the direction of terrace flow shall be away from the natural water dividing ridge and toward the normal natural drainage depression.

(e) **Dimensions:** The terrace must be at least 12 feet wide from center of channel of flow line across to the foot of the terrace base on lower side. The height or ridge above the flow line must be at least 17 inches when freshly built or 14 inches after settling. The ridge must be smoothly curved.

Fresh fills across gullies or depressions must be one-fifth higher to compensate for settling and weathering. The minimum cross-section of the terrace channel must be 5 square feet. The flow line should be either upon the grade line or one-fourth the width of the terrace above the grade line.

(f) **Proper terrace outlets must be constructed:** Terrace systems should be so planned that the terraces may outlet individually upon well-protected pastures, meadows, or wooded areas. If conditions are unfavorable for this method, a meadow or pasture strip must be established for outlet control. Where the above conditions are not possible or practical, a sodded channel must be established. The outlet ends of all terrace channels shall be protected by the use of adapted vegetative strips, rock, or other suitable impediments.

Terracing of cropland and pasture done under the supervision and specifications of Soil Conservation Service engineers using Ramser's tables or above specifications is acceptable.

17. Strip cropping—35 cents per acre.

SPECIFICATIONS: Strip cropping on any particular acreage shall be eligible for payment only the year in which the strips are established. Strip cropping shall consist of strips of erosion-resisting crops alternating with strips of row crops.

(a) All strips of erosion-resisting crops shall be sown broadcast or close drilled so as to cover the land uniformly and shall average not less than 40 feet in width.

(b) The strips of erosion-resisting crops must occupy at least 25 percent of the land on slopes up to 4 percent, 33⅓ percent on slopes from 4 to 8 percent, and 50 percent of the land on slopes over 8 percent. Slopes in excess of 4 percent must be terraced.

(c) On terraced land the strips of erosion-resisting crops must occupy a part of each terrace interval.

(d) The erosion-resisting strips devoted to summer-growing crops shall not be broken until the following spring unless—

(1) A winter erosion-resisting crop is sown at the time of breaking, or

(2) A winter erosion-resisting crop is sown on the interval between strips at the time of fall breaking.

(e) Summer erosion-resisting crops approved for strip cropping shall be soybeans, cowpeas, sorghum, lespedeza, crotalaria, and Sudan grass.

(f) Approved erosion-resisting crops for winter strip cropping shall be Austrian winter peas, vetch, crimson and bur-clover, ryegrass, and small grains if seeded with drill on the contour.

(g) The erosion-resisting strips must be perennials on slopes over 8 percent.

18. Construction of reservoirs and dams—15 cents per cubic yard of material moved not in excess of 2,000 cubic yards for each development, and 10 cents per cubic yard of material moved in excess of 2,000 cubic yards in making the fill or excavation, or \$6.00 per cubic yard of concrete or rubble masonry.

SPECIFICATIONS: The reservoir or dam to be constructed must be determined by the county committee to be an efficient means of preventing erosion. The county committee must approve the site before construction is begun.

This practice must be performed in accordance with detailed specifications approved by the State committee and the Director of the Southern Division, which may be obtained from the county office.

Green Manure and Cover Crops

19. Green manure and cover crops of vetch, Austrian winter peas, wild winter peas, bur-clover, crimson clover, soybeans, except where the seed is harvested by mechanical means, cowpeas, or velvetbeans—\$1.50 per acre.

SPECIFICATIONS: Credit will **not** be given for crops except those listed above. A summer legume turned under on land subject to erosion must be followed by a winter cover crop. A good growth and a good stand must be obtained and left on the land or turned under. A good growth means a growth which would make approximately ½ ton per acre of air-dry hay (14 pounds of green matter on an average area of 100 square feet).

20. Cowpeas, velvetbeans, crotalaria, or soybeans, interplanted or grown in combination with intertilled crops—30 cents per acre.

SPECIFICATIONS: A good stand and good growth must be obtained and the vines not harvested, and in the case of soybeans the seed must not be removed by mechanical means. A good growth means approximately $\frac{1}{2}$ ton per acre of air-dry material (10 pounds of green matter on an average area of 100 square feet). Legumes planted in intertilled crops at lay-by time will not qualify under this practice.

Forestry

21. Planting forest trees—

(a) Pines—\$4.50 per acre.

(b) Black walnut, black locust, oak, ash, hickories, catalpa, Bois D'Arc, cottonwood, and yellow poplar—\$6.00 per acre.

SPECIFICATIONS: There must be planted a minimum of 1,000 trees per acre with a survival of 65 percent at the time of checking performance. Soil preparation by flat breaking or bedding is required for hardwoods. Plantings must be adequately protected from fire and animals, and in the case of hardwoods must be cultivated at least twice during the first growing season.

Trees purchased from a State nursery may qualify under this practice.

22. Cultivating, protecting, and maintaining, by replanting if necessary, a good stand of hardwood trees planted between January 1, 1940, and December 1, 1940—\$1.50 per acre.

SPECIFICATIONS: (a) Trees must be cultivated twice between May and August.

(b) A stand composed of not less than 600 trees per acre must be maintained, by replanting if necessary, with seedlings of the same species between December 1, 1940, and March 1, 1941.

(c) The trees must be protected adequately to prevent damage by fires. All plantings must be fully protected from livestock by the construction of fences, if necessary. Firebreaks must be constructed on sides adjacent to woodlands or fields having a fire hazard. The firebreaks must be made by exposing the mineral soil on a strip at least 6 feet wide or by burning off all inflammable material between two furrows at least 12 feet apart.

23. Improving a stand of forest trees—\$3.00 per acre.

SPECIFICATIONS: The county committee must recommend and the State committee approve counties and areas in such counties where this practice may be used toward earning the soil-building allowance for the farm. A representative of the county office must inspect the farms and the areas on each farm on which it is proposed to carry out this practice under the 1941 program and such practice must be approved for the farm by the county committee prior to the institution of the practice.

The county committee shall not approve such practice unless the area on which it is to be carried out is in need of additional protection from fire and has dead, diseased, insect-infested, crooked, and limby trees or undesirable species which need removing, and when removed will leave in excess of 100 potential timber trees of desirable species at least 6 inches in diameter per acre or 200 trees at least 3 inches in diameter per acre well distributed over the area.

(a) Dead, diseased, insect-infested, crooked, and limby trees, and undesirable species which will not produce profitable forest products and which are interfering with the growth of trees included in the stand, shall be removed.

(b) Fire must be kept out of the area from December 1, 1940 to November 30, 1941. A fire lane shall be made by exposing the mineral soil on a strip at least 6 feet wide or by burning off all inflammable material between two furrows plowed at least 12 feet apart. Fire lanes so constructed shall divide the area into blocks consisting of not more than 20 acres per block.

(c) At least 17 feet of the main stem of potential timber trees of desirable species shall be close-pruned, provided that such pruning shall not be more than half the total height of the tree.

(d) A given area may qualify for payment under this practice only one time in each 5-year interval.

Section 6. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to cotton, wheat, or commercial vegetables shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton and commercial vegetable allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The

furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 7. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99-----	\$0. 40	\$32.00 to \$32.99-----	\$10. 40
\$2.00 to \$2.99-----	. 80	\$33.00 to \$33.99-----	10. 60
\$3.00 to \$3.99-----	1. 20	\$34.00 to \$34.99-----	10. 80
\$4.00 to \$4.99-----	1. 60	\$35.00 to \$35.99-----	11. 00
\$5.00 to \$5.99-----	2. 00	\$36.00 to \$36.99-----	11. 20
\$6.00 to \$6.99-----	2. 40	\$37.00 to \$37.99-----	11. 40
\$7.00 to \$7.99-----	2. 80	\$38.00 to \$38.99-----	11. 60
\$8.00 to \$8.99-----	3. 20	\$39.00 to \$39.99-----	11. 80
\$9.00 to \$9.99-----	3. 60	\$40.00 to \$40.99-----	12. 00
\$10.00 to \$10.99-----	4. 00	\$41.00 to \$41.99-----	12. 10
\$11.00 to \$11.99-----	4. 40	\$42.00 to \$42.99-----	12. 20
\$12.00 to \$12.99-----	4. 80	\$43.00 to \$43.99-----	12. 30
\$13.00 to \$13.99-----	5. 20	\$44.00 to \$44.99-----	12. 40
\$14.00 to \$14.99-----	5. 60	\$45.00 to \$45.99-----	12. 50
\$15.00 to \$15.99-----	6. 00	\$46.00 to \$46.99-----	12. 60
\$16.00 to \$16.99-----	6. 40	\$47.00 to \$47.99-----	12. 70
\$17.00 to \$17.99-----	6. 80	\$48.00 to \$48.99-----	12. 80
\$18.00 to \$18.99-----	7. 20	\$49.00 to \$49.99-----	12. 90
\$19.00 to \$19.99-----	7. 60	\$50.00 to \$50.99-----	13. 00
\$20.00 to \$20.99-----	8. 00	\$51.00 to \$51.99-----	13. 10
\$21.00 to \$21.99-----	8. 20	\$52.00 to \$52.99-----	13. 20
\$22.00 to \$22.99-----	8. 40	\$53.00 to \$53.99-----	13. 30
\$23.00 to \$23.99-----	8. 60	\$54.00 to \$54.99-----	13. 40
\$24.00 to \$24.99-----	8. 80	\$55.00 to \$55.99-----	13. 50
\$25.00 to \$25.99-----	9. 00	\$56.00 to \$56.99-----	13. 60
\$26.00 to \$26.99-----	9. 20	\$57.00 to \$57.99-----	13. 70
\$27.00 to \$27.99-----	9. 40	\$58.00 to \$58.99-----	13. 80
\$28.00 to \$28.99-----	9. 60	\$59.00 to \$59.99-----	13. 90
\$29.00 to \$29.99-----	9. 80	\$60.00 to \$185.99-----	14. 00
\$30.00 to \$30.99-----	10. 00	\$186.00 to \$199.99-----	(¹)
\$31.00 to \$31.99-----	10. 20	\$200.00 and over-----	(²)

¹ Increase to \$200.00.

² No increase.

Section 8. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in Mississippi shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 9. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county. The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 5, shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 10. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 11. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such

material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 12. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to the following cases:

- (1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

- (3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document

required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

- (6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

- (7) **Practice.** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

- (11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such

person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by

the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that :

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of sections 1, 2, and 3, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 13. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 6, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be

given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 14. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any cotton or commercial vegetable allotment, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 15. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA,

determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord or owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Non-crop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, wheat, and commercial vegetable acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 16. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority. Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Mississippi in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds. The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the

making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability. The provisions of this handbook (except sections 8 and 12A) are applicable only to farms in Mississippi, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture; or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior; lands in the Sardis Reservoir acquired by the War Department; or lands in the Natchez Trace Parkway acquired by the National Park Service.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Acting Administrator on November 13, 1940, and of Supplement 1 thereto approved by the Acting Administrator on December 20, 1940.

I. W. DUGGAN,
Director, Southern Division.

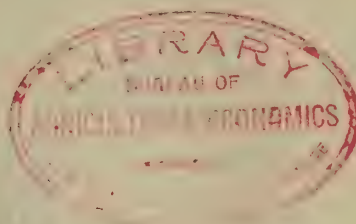


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Oklahoma Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

SOUTHERN DIVISION



Program effective from December 1, 1940
to November 30, 1941



Issued January 1941



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

FOREWORD

The 1941 Agricultural Conservation Program in Oklahoma is a continuation of the conservation program which has been in effect for the last five years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

(1) To help farmers get and maintain a fair share of the national income.

(2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.

(3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.

(4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

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OKLAHOMA HANDBOOK

1941 Agricultural Conservation Program

Section 1. COTTON

A. Farm allotments.—The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of wheat and tobacco, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small reserve may be available to be used to increase allotments that are inadequate and not representative, if any allotment is released by operators. All or part of a cotton allotment may be released by notifying the county committee in writing by April 15, 1941.

(6) A small acreage reserve is available for determining permitted acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938.

B. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If reliable records of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be

based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments.—The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment on cotton will be made for “new” cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or ranch under the 1941 Agricultural Conservation or Range Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length.¹

Section 2. WHEAT

A. Farm allotments.—(1) The county committee, with the assistance of other local committees, shall determine allotments for farms on which wheat was planted for harvest in one or more of the years 1938, 1939, and 1940, on the basis of tillable acreage and crop-rotation practices, as reflected in the usual acreage of wheat on the farm, or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat will be seeded for harvest in 1941, but on which wheat was not seeded for harvest in any one of the 3 years 1938, 1939, and 1940. This apportionment shall be based on tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage seeded to wheat for harvest in 1941 is less than the 1941 allotment, the 1941 allotment shall be reduced to the acreage seeded to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar

¹ See sec. 8 for determination of acreage planted to cotton where interplanting or double or strip cropping occurs.

with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Nonwheat allotment farm means (1) a farm for which a wheat allotment of 5 acres or less is determined and the operator has not made a written request for the farm to be considered as an allotment farm, and (2) a farm for which a wheat allotment of more than 5 acres is determined and the county committee approves a written request of the farm operator to have such farm considered as a nonallotment wheat farm. The written request for the nonallotment option must be received in the county office not later than November 1, 1940, in Adair, Cherokee, Muskogee, Tulsa, Pawnee, Payne, Lincoln, Oklahoma, Cleveland, McClain, Garvin, Stephens, and Jefferson Counties and all counties lying north and west of these counties, and December 31, 1940, in all other counties, except that if the wheat allotment notice is not transmitted to the operator prior to 15 days before the closing date, the request may be made within 15 days after the date shown on the notice of the 1941 wheat allotment.

C. Farm normal yields.—The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm for which a wheat allotment is determined or a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930 to 1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection C shall be adjusted so that the average of the normal yields for **all** farms in the county shall not exceed the approved county normal yield.

D. Payments.—For a wheat allotment farm, the payment is **8 cents** for each bushel of the normal yield for each acre in the wheat allotment. There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield for each acre planted to wheat in excess of the allotment.

For a nonwheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for grain, or for any other purpose after reaching maturity, in excess of the larger of the allotment or 10 acres.

E. Acreage seeded to wheat (on wheat allotment farms) means (1) any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat); (2) any acreage seeded to a mixture designated under (1) above and the wheat

matures but the other crops fail to mature; and (3) any acreage of volunteer wheat which is harvested or remains on the land after May 1, 1941. An acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by effective tillage within 15 days after date shown on notice mailed to the operator of the measured wheat acreage, but not later than May 1, 1941.

Section 3. COMMERCIAL VEGETABLES

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Muskogee, Oklahoma, and Tulsa Counties, designated as commercial vegetable counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936–1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county, including farms on which vegetables were not grown in the period 1936–1940, inclusive, shall not exceed the approved county limit.

B. Payments.—The payment is \$1.30 for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of \$20.00 for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which annual vegetables or truck crops are planted, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, and (2) dried beans, cowpeas, black-eyed peas, bulbs and flowers, watermelons, sweetpotatoes, strawberries, cantaloupes, English peas for canning and freezing, and sweet corn for canning; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

Section 4. TOTAL SOIL-DEPLETING CROPS

A. Farm allotments.—The county committee, with the assistance of other local committees, shall determine a total soil-depleting allotment for each farm. The allotment shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil,

topography, degree of erosion, and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration special crop allotments determined for the farm. The total allotment for any farm shall compare with the total allotments for other farms in the same community which are similar with respect to these factors. The total soil-depleting allotments determined for the farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm productivity indexes.—The county committee, with the assistance of other local committees, shall determine a productivity index for each farm. The productivity index shall be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of any crop that does accurately reflect the productivity of the farm may be used. Where the 1940 productivity index accurately reflects the productivity of a farm for 1941, it may be used for the 1941 program. The productivity index for the farm shall be fair and equitable as compared with the productivity indexes for other farms in the county. The average productivity index for all farms in the county shall not exceed 100.

C. General soil-depleting crops or general crops means all crops and land uses listed in the definition of soil-depleting acreage, except special crops for which a separate payment or deduction is computed for the farm; provided that wheat on a nonwheat allotment farm and vegetables on a nonvegetable allotment farm in a commercial vegetable county shall always be regarded as general crops for the purpose of determining the division of the net payment or net deduction computed with respect to general crops. All or any part of any acreage of any general soil-depleting crop which is totally destroyed before maturity by flood, insects, or any other cause beyond the control of the operator may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops if replaced by other acreage devoted to a soil-depleting crop.

D. Nongeneral allotment farm means a farm for which a total soil-depleting allotment (excluding the cotton allotment or permitted cotton acreage) of 20 acres or less is determined (or 30 acres or less in Love, Carter, Murray, Pontotoc, Pottawatomie, Lincoln, Payne, Pawnee, and Osage Counties and all counties east of these), except where the farm operator requests in writing in connection with the execution of the farm plan sheet or prior to May 1, 1941, that the farm be considered as a general allotment farm and his request is approved by the county committee.

E. Payments.—The rate of payment for general allotment farms is the county rate per acre,² adjusted for productivity, for each acre in the total allotment in excess of the sum of the special crop acreages with respect to which a payment is computed.

² The average rate of payment per acre for general crops in the United States is \$1.10 per acre, and the average rate of deduction is \$8 per acre. The Secretary will establish for each county a rate of payment and deduction per acre.

For general allotment farms there shall be a deduction at the county rate,² adjusted for productivity, for the soil-depleting acreage in excess of the sum of (1) the total allotment and (2) the acreages for which deductions are computed with respect to special crops.

For nongeneral allotment farms there shall be a deduction on the above basis for the soil-depleting acreage in excess of the sum of (1) 20 acres, or, in counties designated under subsection D, 30 acres, (2) the cotton allotment or permitted cotton acreage for the farm, and (3) the acreages for which deductions are computed with respect to special crops.

Section 5. RESTORATION LAND

A. Farm restoration land.—Restoration land shall be designated by the county committee, with the assistance of other local committees, on the basis of the land in the farm which was designated as restoration land under the 1940, 1939, or 1938 program and any additional land in the farm which has been cropped at least once since January 1, 1930, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored; provided that (except for a farm which is owned or leased by a conservation district, an association determined by the State committee to have been organized for conservation purposes, or a State agency authorized by law to own or lease land for conservation or erosion control purposes) new restoration land shall be designated only on a farm which is operated by the owner or where such designation has been approved by the owner in the case of a tenant-operated farm. Restoration land may be designated in the following counties: Beaver, Cimarron, Ellis, Harper, Roger Mills, Texas, and Woodward.

The county committee shall designate practices to be applied to restoration land determined to be in need of additional practices. Land formerly designated as restoration land shall be reclassified as noncrop pasture or range land, unless the county committee determines, in accordance with instructions of the State committee, that a permanent vegetative cover has not been restored. Land formerly designated as restoration land may, if such land is improperly designated, be restored to its former cropland status, with the approval of the State committee, when offset by an equal acreage of land in the county which is properly designated for the first time in 1941 as restoration land.

B. Payments.—The payment is **15 cents** for each acre of restoration land designated for the farm. There shall be a deduction of **\$3** for each acre of restoration land and any land previously designated as restoration land which has been reclassified as noncrop pasture or range land which is plowed or tilled in 1941 for any purpose other than tillage practices to protect the land from wind erosion or tillage operations in connection with the seeding of an approved nondepleting cover crop or permanent grass mixture.

² The average rate of payment per acre for general crops in the United States is \$1.10 per acre, and the average rate of deduction is \$8 per acre. The Secretary will establish for each county a rate of payment and deduction per acre.

Section 6. MISCELLANEOUS DEDUCTIONS

A. Failure to prevent wind or water erosion.—There shall be a deduction of \$1 for each acre of land in Beaver, Cimarron, Ellis, Harper, Roger Mills, Texas, and Woodward Counties subject to serious wind or water erosion hazards with respect to which there are not adopted in 1941 methods recommended by the county committee and approved by the State committee for the prevention of wind or water erosion, or both.

B. Breaking out native sod.—There shall be a deduction of \$3 for each acre of native sod or any other land on which a permanent vegetative cover has been established which is broken out during the period December 1, 1940, to November 30, 1941, inclusive, unless the breaking out of such land is approved by the county committee as a good farming practice and an equal acreage of cropland on the same farm is restored to permanent vegetative cover, such cropland to be in addition to that designated as restoration land. (Applicable only in the following counties: Beaver, Cimarron, Ellis, Harper, Roger Mills, Texas, and Woodward.)

Section 7. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal.—The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals.—The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county in order to conserve and improve soil fertility and to prevent wind and water erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals.—Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance.—The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

- (1) **50 cents** for each acre of cropland in excess of the total soil-depleting allotment for the farm;

(2) **70 cents** for each acre for which a commercial vegetable payment is computed;

(3) **\$1.35** for each acre of commercial orchards on the farm on December 1, 1940;

(4) For noncrop open pasture land in the farm (if there are more than 1920 acres of noncrop open pasture land on a farm, none of such land may be used in computing the soil-building allowance for the farm):

(i) **8 cents** per acre in the following counties: Beaver, Beckham, Cimarron, Ellis, Greer, Harmon, Harper, Roger Mills, Texas, and Woodward;

(ii) **9 cents** per acre in the following counties: Alfalfa, Blaine, Caddo, Comanche, Cotton, Custer, Dewey, Jackson, Kiowa, Major, Tillman, Washita, and Woods;

(iii) **10 cents** per acre in the following counties: Atoka, Canadian, Carter, Cleveland, Coal, Garfield, Garvin, Grady, Grant, Johnston, Kingfisher, Lincoln, Logan, McClain, Murray, Oklahoma, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole, and Stephens;

(iv) **11 cents** per acre in the following counties: Adair, Bryan, Cherokee, Choctaw, Craig, Creek, Delaware, Haskell, Hughes, Jefferson, Kay, Latimer, LeFlore, Love, McCurtain, McIntosh, Marshall, Mayes, Muskogee, Noble, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Rogers, Sequoyah, Tulsa, Wagoner, and Washington;

(5) For nongeneral allotment farms, the county rate per acre, adjusted for productivity, for each acre in the total allotment in excess of the sum of the special crop allotments for which payments are computed;

(6) **45 cents** for each acre of restoration land designated on the farm; and

(7) The amount earned by planting forest trees in accordance with practice 26, not to exceed **\$15**.

If for any farm the sum of the maximum payments computed under sections 1 to 6, inclusive, and under items (1) to (6), inclusive, of this subsection is less than \$20.00, the amount determined under items (1) to (6), inclusive, shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs.—Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices.—The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940, to November 30, 1941, inclusive, in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the

county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part, the part representing one-half or more, with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Soil-building practices carried out with equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Erosion Control

1. Construction of standard terraces for which proper outlets are provided—75 cents per 100 feet.—(For more detailed information Oklahoma Extension Circular No. 218, Soil Erosion Control in Oklahoma, should be used.) Terraces to be approved for payment:

(a) Must not exceed a fall of 4 inches per 100 feet along the terrace line (level terraces preferred where adaptable, particularly on land having very little slope in low rainfall areas).

(b) Must have fills in terrace line across gullies built up to normal level for the terrace ridge.

(c) Must equal or exceed the height and width specifications, and must not be spaced further apart than the maximum widths indicated in the following table.

(d) The outlet ends of all terrace channels shall be protected by means of sodded channels, rock riprap, or other effective devices to prevent erosion of the terrace channel. Any terraces which are not properly protected cannot be accepted under this practice.

Slope of land in feet per 100 feet ¹	Minimum height—top of terrace above upper channel		Minimum width from low point in terrace channel to center top of terrace ²		Recommended average distance between terraces ³
	New terrace before ledges are plowed in	Plowed-in settled terrace	New terrace before ledges are plowed in	Plowed-in settled terrace	
	<i>Inches</i>	<i>Inches</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>
½ or less -----	15	10	11	9	210
1 -----	16	11	11	9	150
2 -----	18	12	10	8	100
3 -----	18	12	10	8	83
4 -----	19	12½	10	8	75
5 -----	19	12½	9	7	70
6 -----	20	13	9	7	67
7 -----	20	13	9	7	64
8 or more -----	21	14	8	6	62

¹ Over ½ foot in vertical fall will be considered as 1 foot. Maximum slope on which terraces will be approved will be determined by the State committee.

² On slopes in excess of 3 percent, the minimum width specification may be disregarded, provided the area of the cross section of the terrace equals or exceeds that of a terrace constructed in accordance with minimum width specifications. The width of the lower side of terrace shall, in all cases, be at least ¾ the width of the upper side of terrace, as indicated.

³ This recommended average distance, which is the horizontal spacing between terraces, must not be exceeded by more than 30 percent.

2. Establishing on cropland which is used for an intertilled crop or summer fallow in 1941 or in cultivated orchards 100 linear feet of permanent sodded waterway—25 cents per 100 linear feet.—

A waterway will not be approved with an average width of less than 10 feet or where the slope is over 10 percent. The channel of the waterway must be sufficiently wide at all points to carry all water diverted into it under conditions of maximum rainfall. The waterway will have to be a little wider below each terrace because of the extra drainage area. For one to three acres of drainage area, the width of the waterway must be at least six feet; from four to six acres of drainage at least ten feet; from seven to ten acres of drainage at least 18 feet; and for each added five acres of drainage up to 200 acres, the width of the waterway will increase two feet. Seedlings made in the establishing of permanent sod waterway must contain perennial grasses in areas where it is practicable to obtain a good stand of such grasses. In areas of limited rainfall, soddings of buffalo grass or seedlings of western wheat grass are recommended on heavy land; vine mesquite sod is recommended for light to sandy soils. A good vegetative cover must be obtained in the waterway channel before November 30, 1941.

3. Construction of reservoirs and dams.—For the first 2,000 cubic yards of material moved for each reservoir or dam, 15 cents per cubic yard; for yardage moved in excess of 2,000 for each reservoir or dam, 10 cents per cubic yard.

Before a reservoir or dam is constructed under this practice, it must be determined by the county committee that such a reservoir or dam will be an efficient means of preventing erosion.

The site for the reservoir or dam shall be inspected and if the dam to be constructed will be 8 feet or more in height or will consist of approximately 300 cubic yards or more of earth, or in all cases where the surface of the ground on which the dam is to be built is extremely irregular, a preliminary survey shall be made before construction is started.

The area to be flooded by the impounded water should be cleared of brush or timber. The site for the dam should be stripped of sod and plowed or disked in a direction crosswise to the stream. Where the upper soil is quite pervious to water, a core wall or small ditch should be dug along the center line of the dam, deep enough to reach a reasonably impervious subsoil. This trench should be filled with the most impervious soil readily available at or near the dam site and should be well-compacted. The same material should be filled above the trench to a height equal to the expected normal water level in the reservoir.

The earthen fill for the dam should be spread in well-packed layers of not over 8 to 10 inches per layer. Sod should not be used in the fill. The fill should have minimum slopes of 2:1 downstream and of 3:1 upstream.

Table of Dimensions for Dams

This table shows dimensions of a standard dam for a pond which has a 3:1 upstream slope and 2:1 downstream slope.

H	a	b	a+b=W	w	d	H-d
<i>Feet</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>
3	11	8	19	4	3	0
4	14	10	24	4	3	1
5	17	12	29	4	3	2
6	20	14	34	4	3	3
7	23	16	39	4	3	4
8	27	19	46	6	3	5
9	30	21	51	6	4	5
10	33	23	56	6	4	6
11	36	25	61	6	4	7
12	39	27	66	6	4	8
13	42	29	71	6	4	9
14	45	31	76	6	4	10
15	49	34	83	8	4	11
16	52	36	88	8	4	12
17	55	38	93	8	4	13
18	58	40	98	8	4	14
19	61	42	103	8	5	14
20	64	44	108	8	5	15
21	68	47	115	10	5	16
22	71	49	120	10	5	17
23	74	51	125	10	5	18
24	77	53	130	10	5	19
25	80	55	135	10	5	20

H—Height of dam.

a—Width from center to upstream edge of dam at bottom.

b—Width from center to downstream edge of dam at bottom.

a+b=W—Total width of dam at bottom.

w—Width of dam on top.

d—Distance from water level to top of dam, called freeboard.

H-d—Approximate depth of water in pond above dam.

Completed dams will be measured by the county agricultural conservation association. A shrinkage of 10 percent will be applied to the gross volume of earth used in the construction of the dam.

Wherever available, a natural sodded spillway should be used and care should be taken not to destroy the existing natural cover. The spillway must have a cross-sectional area at least equal to that of the impounded stream at highest known flood stage. Where spillway is not protected by natural cover, other protection must be provided. The end of the dam shall be riprapped if it forms a part of the spillway. The settled top of the dam shall be at least 3 feet higher than the spillway crest. The spillway must be protected from livestock.

The slopes of the fill above water shall be sodded or seeded to a grass mixture. Where the proposed reservoir surface exceeds 3 acres, the upstream face of the fill must be riprapped.

Earth used in the fill or excavated in the spillway (unless such earth is used in the dam) shall be measured and its volume computed for payment. The completed dam shall not be approved unless it is considered adequate and has adequate spillway facilities.

4. **Construction of ditches for the diversion of flood water or well water on restoration land, cropland, pasture land, or hay land**—50 cents per 100 linear feet.—Ditches must have a depth of 1

foot and a width of 4 feet, or the equivalent cross section. This practice is applicable in the following counties and all other counties lying west of these counties: Kay, Noble, Logan, Oklahoma, Canadian, Grady, Comanche, and Cotton.

5. Leaving stalks of sorghums, broomcorn, and Sudan grass on the land as a protection against wind erosion—35 cents per acre.—The stalks of broomcorn, Sudan grass, and sweet sorghums must be at least 10 inches in height. In the case of grain sorghums, the entire stalk (excluding heads) must be left on the land. This practice is applicable only on farms where it is determined by the county committee that such cover is necessary as a protection against wind erosion and the operator's farming plan provides that the cover will be left on the land until the spring of 1942. This practice is applicable in Woods, Major, Blaine, Caddo, Kiowa, and Tillman Counties and counties lying west thereof.

6. Contour listing, subsoiling (chiseling), or furrowing non-cropland—50 cents per acre.—The furrow channels must be not less than 8 inches wide and 4 inches deep and not less than 3 feet apart, or if subsoiled (chiseled), not less than 3 inches wide and 6 inches deep. If the furrows are $8\frac{1}{4}$ feet (one-half rod) or less apart, the actual acreage of land furrowed will count under this practice. If furrows are over $8\frac{1}{4}$ feet apart, the acreage of the practice will be computed on the basis of the acreage occupied by the furrows, each furrow being considered to occupy a strip $8\frac{1}{4}$ feet wide. Guide lines for lister furrows must be set up at not to exceed one-half the terrace interval specified in practice 1.

7. Strip cropping on the contour—35 cents per acre.—The strips must consist of erosion-resisting crops alternating with strips of other types of erosion-resisting crops or with erosion-permitting intertilled crops or two of such alternating strips of crops alternating with one strip of fallow, strips to be not less than 10 feet nor more than 200 feet wide, and the strips of erosion-resisting crops to occupy at least 30 percent of the area of the field. For the purpose of this practice, sorghums in rows or solid-seeded and small-grain crops shall be classified as erosion resisting in Woods, Woodward, Ellis, and Roger Mills Counties and counties lying west thereof. In the remaining counties, erosion-resisting crops shall consist of solid seedings, except that Sudan grass in rows shall be considered as erosion resisting in all counties.

8. Protecting summer-fallowed acreage from wind and water erosion—35 cents per acre.—This practice applies to acreage from which no crop is harvested in 1941. Such acreage must be kept sufficiently free of vegetative cover so that available moisture is conserved by either of the following methods:

(a) Contour listing or pit cultivation to be done in the spring of 1941 not later than June 15, 1941, in Cimarron and Texas Counties and not later than June 1, 1941, in Beaver and Harper Counties and in accordance with the specifications for practice 10 or 12. This practice will apply only in Beaver, Cimarron, Harper, and Texas Counties.

(b) Contour listing or pit cultivation, or otherwise incorporating the scrubble and other trash into the soil not later than June 1, 1941 (where such practice is approved by the county committee as a good practice

for the farm), in the following counties and in all counties lying west of the counties named, except those included in (a) above: Kay, Noble, Logan, Oklahoma, Canadian, Grady, Comanche, and Cotton.

Where fallow strips alternate with rows or strips of crops, the actual acreage of land in the fallow strips shall qualify in accordance with this practice 8, provided such fallow strips between rows or strips of crops are not less than 10 feet and not more than 200 feet wide, and that the fallow strips shall not occupy more than two-thirds of the total area of the land occupied by such rows or strips of crops and fallow, the fallow strips being measured from a point $1\frac{1}{2}$ feet from the rows or strips of the erosion-resisting crop. Fallow strips for which credit is given under this practice cannot qualify under practice 7.

9. Contour farming intertilled crops—20 cents per acre.—This practice consists of the planting and cultivation of row crops following the contour, as determined by a farm level or surveyor's instrument or following established terraces. If the land is not terraced, the rows must follow guide lines established at not to exceed twice the terrace interval specified in practice 1.

10. Contour listing cropland—25 cents per acre.—The furrows shall be made with a regular double moldboard lister or with a chisel of approved design, or other implement accomplishing the same results **as soon as possible after harvest** and according to the specifications given herein.

(a) The furrows shall not be more than 4 feet nor less than 20 inches apart and shall, if listed, not be less than 8 inches wide and 4 inches deep, or if chiseled, not be less than 4 inches wide and 8 inches deep; (b) the furrowing shall be done with the contour of the land, following guide lines established at not to exceed twice the terrace interval specified in practice 1, or following established terraces; (c) the contour shall be maintained until final preparation of the land for a crop.

On slopes averaging greater than $3\frac{1}{2}$ feet to each 100 feet, the contour listing must be in combination with terracing. These specifications shall apply where contour listing is used in protecting summer fallow, except that such contour listing shall not qualify under this practice 10. Contour listing within 30 days of seeding shall not qualify as a soil-building practice. **Basin listing on the contour will qualify under this practice if done in accordance with the above specifications.**

11. Seeding small-grain crops for harvest in 1941, sorghums, and Sudan grass, on the contour—15 cents per acre.—**The crop must be solid-seeded with a grain drill** and must follow guide lines established with a standard farm level or surveyor's instrument at not to exceed twice the terrace interval specified in practice 1 or following established terraces.

12. Pit cultivation of cropland—15 cents per acre.—This must be done with an approved basin lister which will dam the lister furrows at regular intervals or with another implement accomplishing similar results. The furrows are not to be more than 4 feet nor less than 20 inches apart and not less than 4 inches deep and the pits or basins must occupy at least 25 percent of the land. On slopes greater than 2 percent, this practice will not qualify unless done on the contour

following guide lines established at not to exceed twice the terrace interval specified in practice 1, or must follow established terraces. These same specifications shall apply where pit cultivation is used in protecting summer fallow, except that such practice shall not qualify under this practice 12. **Pit cultivation on the contour will not qualify under this practice**, but will qualify under practice 10 if meeting other specifications of that practice. Pit cultivation as a part of a seeding operation shall not qualify as a soil-building practice.

Seedings

Lime and phosphate must be applied in recommended amounts and in accordance with approved methods in connection with grasses and legumes seeded in fields where it is known that the availability of either of these materials is not sufficient to assure a successful growth of the crop being seeded. Self-seeded or volunteer crops will not be considered to have been seeded under practices 13 through 17, and therefore will not qualify for payment under these practices.

13. Seeding adapted varieties of alfalfa on a properly prepared seedbed—\$1.50 per acre.

14. Seeding permanent pasture grasses or pasture mixtures—\$3.00 per acre.—Credit will not be given for this practice when carried out on depleted pasture land nor on land on which a permanent vegetative cover is being established in 1941 under practice 23 or 15 or has been established under previous agricultural conservation programs.

In McCurtain, Choctaw, Pushmataha, Bryan, Atoka, Latimer, LeFlore, Pittsburg, and Coal Counties, a mixture of at least 10 pounds of Dallis grass and two or more of the following legumes must be seeded at not less than the rates specified: Yellow hop 3 pounds, Korean lespedeza 10 pounds, black medic 3 pounds, clean bur-clover 3 pounds, or 10 pounds in burs.

In western Oklahoma, seedings under this practice must be made on land that has a cover. A desirable cover crop is a good growth of Sudan grass or sorghums that have been mowed with stubble around 10 inches in height on which no seed has been produced. This cover crop may be secured under practice 20. If this type of cover is not available, cover on the land must meet the approval of the county committee. Seedings must occur in late March or early April and in the following amounts in accordance with the type of soil: On sandy to heavy upland soil when seeded alone, 10 pounds of blue grama or 20 pounds of side oats grama; or on heavy to semiheavy upland soil, a mixture of 10 pounds of blue grama and 5 pounds of side oats grama; on sandy or semi-sandy upland soil, 6 pounds of blue grama and 9 pounds of side oats grama. The above rates of seeding are considering that the seed is average in germination. In instances where average seed is not obtainable, the rate of seeding should be increased. On bottom land, 5 pounds of switch grass or 20 pounds of side oats grama may be seeded, or if a mixture, 3 pounds of switch grass and 9 pounds of side oats grama. There are other types of grasses that might be seeded in western Oklahoma, but seed is ordinarily not available. Subject to recommendation and approval of the State committee, other adapted grasses may be seeded under this practice and in accordance with the prescribed method.

For central and eastern Oklahoma, 12 pounds of big or little bluestem, blue grama, or side oats grama may be seeded alone, or 6 pounds of big or little bluestem, 3 pounds of blue grama, and 3 pounds of side oats grama may be seeded as a mixture. Seedings in this section should be on land with some protection, preferably similar to the protection recommended for the western area, but need not be as complete since there is more available moisture. Seedings should not be made on land that does not have sufficient cover to protect it from erosion. Seedings should occur in late March or early April.

15. Seeding any of the following crops on a suitable, well-prepared seedbed at not less than the specified rate—75 cents per acre.—Biennial sweetclover, 10 pounds; yellow hop clover, 5 pounds; white Dutch clover, 3 pounds; black medic, 10 pounds; annual ryegrass, 20 pounds. Mixtures of these legumes—the seeding rate of each legume in the mixtures shall be that amount which is obtained by dividing the seeding rate for each legume when seeded alone by the total number of legumes in the mixture.

Credit will not be given for seedings under this practice in combination with practice 14 or 23. The maximum payment that may be earned under this practice on an acre of land is 75 cents.

16. Seeding winter legumes—\$1.50 per acre.—These crops must be properly inoculated in all cases and must be seeded on a suitable, well-prepared seedbed. Seedings must not be less than the following rates and prior to the dates specified:

Vetch—15 pounds per acre—November 10.

Austrian winter peas—20 pounds per acre—November 10.

Bur-clover (clean)—12 pounds per acre (or the equivalent of seed in burs)—October 20.

17. Seeding annual lespedeza—\$1 per acre.—The lespedeza must be seeded on a suitable, well-prepared seedbed at not less than 15 pounds per acre and prior to April 15. The seed must be properly inoculated. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

Soil Improvement

18. Application of the following materials to, or with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, annual ryegrass, or permanent pastures, if such crops are not seeded or grown with soil-depleting crops:

(a) 100 pounds of 48 percent triple superphosphate—\$1.50.

(b) 240 pounds of 20 percent superphosphate (or its equivalent)—\$1.50.

(c) 500 pounds of rock phosphate—\$1.50.

The material must be evenly distributed. The crops to which the material is applied must not be seeded or grown with a soil-depleting crop. Winter legumes sown in row-crop middles are not considered as seeded or grown with a soil-depleting crop. In the case of lespedeza seeded alone, winter legumes, or annual ryegrass, application must be made at or before the time of seeding. Application may be made to volunteer lespedeza between February 1 and June 1, 1941. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after July 15. Rock phosphate must be ground sufficiently fine so that 80 percent will pass through a 100-mesh sieve.

19. **Application of one ton of ground limestone—\$2.**—The limestone must contain at least 90 percent calcium carbonate equivalent and shall be ground fine enough for 95 percent or more of it to pass through a 10-mesh sieve and 40 percent or more of it to pass through a 60-mesh sieve.

20. (a) **Green manure and cover crops of nonlegumes—75 cents per acre.**

(b) **Green manure and cover crops of legumes or annual ryegrass—\$1.50 per acre.**

A good stand and a good growth of green manure crops must be plowed or disked under on land not subject to wind erosion. On land subject to wind erosion or where cover is being established under practice 14 a good stand and a good growth of cover crops must be left on the land. Where a green manure crop is plowed under, if not otherwise protected, it must be followed by a winter cover crop. A good growth is defined as sufficient growth of the crop to justify harvesting as hay. Green manure crops shall not include lespedeza, wheat, grain sorghums, peanuts, any crops for which credit is given in 1941 under any other practice, or soybeans from which the seed is harvested by mechanical means. Native vegetation will not qualify under this practice.

Some of the crops that may qualify under (a) are sweet sorghums, Sudan grass, millets, and small grains (except wheat).

Some of the crops that may qualify under (b) are Austrian winter peas; vetch; cowpeas; soybeans, except where the seed is harvested by mechanical means; clovers, and annual ryegrass.

21. **Summer legumes, excluding those classified as soil depleting, and excluding peanuts hogged-off, interplanted or grown in combination with soil-depleting crops—30 cents per acre.**—A good stand and a good growth must be obtained and the vines not harvested, or in the case of soybeans the seed not removed by mechanical means. A good growth is defined as sufficient growth of the crop to justify harvesting as hay. **In order to qualify under this practice, the legumes must be planted at the same time or immediately following the time the soil-depleting crop is planted. In no case will the planting of legumes at lay-by time qualify.** The summer legume must occupy at least **one-third** of the land.

Pasture Improvement

22. **Natural reseeding (restoration) of noncrop open pasture land by nongrazing (deferred grazing)—15 cents per acre.**—The deferred area must be kept free of livestock during the normal pasture season and must be mowed at least once during the nongrazing period, if recommended by the county committee. Infestations of pricklypear must also be eradicated. The nongrazing period shall be from the start of the growth of grass in the spring until seeds have matured. For Harmon, Greer, Kiowa, Caddo, Canadian, Oklahoma, Pottawatomie, Okfuskee, McIntosh, Haskell, and LeFlore Counties and all counties south of the counties named, the nongrazing period shall be May 1, 1941, to September 30, 1941. For all counties lying north of those named above, except Cimarron and Texas Counties, the non-grazing period shall be May 15, 1941, to October 15, 1941. The

non-grazing period for Cimarron and Texas Counties shall be June 1, 1941, to October 30, 1941.

23. Establishment of a permanent vegetative cover by planting sod pieces of Bermuda or buffalo grass—\$4.50 per acre.—Sodding must be accomplished by the planting of a sod piece for not less than each 20 square feet. Mixtures of legumes with buffalo grass soddings will not be required. Where Bermuda grass sod is used in order to obtain a permanent pasture, two or more of the following legumes must be seeded on the sodded acreage at not less than the prescribed rate: Yellow hop clover, 3 pounds; Korean lespedeza, 10 pounds; black medic, 10 pounds; bur-clover, 3 pounds. The use of legumes will be required with sodded Bermuda grass in the following counties: Washington, Tulsa, Okmulgee, Hughes, Pontotoc, Murray, Carter, Love, and all counties lying east thereof. In counties west of these where Bermuda sod is used and legumes are not required, one sod piece for each 15 square feet of area must be used. In any instance, 75 percent of the sod pieces must be growing at the time of checking performance.

24. Renovation of permanent pastures consisting of perennial grasses or perennial grasses and legumes by mowing—25 cents per acre for each mowing but not more than 50 cents per acre.—The mowing must control weeds and shrubs. Shrub growth too large for mowing must be removed. Growth mowed cannot be used for hay nor sold for any purpose.

25. Control of destructive plants on noncrop pasture land.—*Provided*, That if the county committee determines that the control of destructive plants under this practice will reduce the vegetative cover to such an extent as to encourage increased soil erosion, artificial reseeding shall also be required where soil and climatic conditions permit. Written approval of the county committee must be secured prior to the institution of this practice if payment is made.

(a) Eradicating pricklypear and cactus:

- (1) Light infestation—2 to 6 percent, inclusive—50 cents per acre.
- (2) Medium infestation—7 to 12 percent, inclusive—75 cents per acre.
- (3) Heavy infestation—above 12 percent—\$1.00 per acre.

Payment will be based on the percentage of ground infested. Where infestation is less than 2 percent, coverage will be calculated by counting two or more acres as one, according to the relative facts found by the county committee.

(b) Eliminating mesquite:

- (1) Light infestation—5 to 20 percent, inclusive—50 cents per acre.
- (2) Medium infestation—21 to 40 percent, inclusive—\$1.00 per acre.
- (3) Heavy infestation—above 40 percent—\$2.00 per acre.

Payment will be based on the percentage of ground infested. Where infestation is less than 5 percent, coverage will be calculated by counting two or more acres as one, according to the relative facts found by the county committee.

(c) **Eradication of infestation of sagebrush**—10 percent or more infestation—50 cents per acre.—Mowing must be done during the months of June and July, and it is desirable that the area mowed have grazing withheld in accordance with practice 22. If the infested area is sandy, the mowing should occur on the lower areas of the range and sagebrush left for protection on the higher areas. Payment will be based on the percentage of ground infested. Where infestation is less than 10 percent, coverage will be calculated by counting two or more acres as one according to the relative facts found by the county committee.

NOTE.—The degree of infestation of destructive plants as outlined in this practice 25 (a), (b), and (c) will be determined by judging the density of the growths and grading them in accordance with the percentage of the ground covered by the total spread of trees or plants, as estimated by the county committee. In order to make an accurate estimate as to the percentage of coverage of such plants, the county committee or its representative should step off a representative tenth or twentieth of an acre of infested area and measure the ground covered by all the trees and plants under consideration that are on the area. From this it can be determined the percentage of coverage on such plot or plots, then use this percentage as a basis for arriving at the percentage of the entire infested area.

Forestry

26. Planting forest trees—\$7.50 per acre.—The preparation of the planting site and planting method used shall be in accordance with best recognized methods. The species used shall be those which are recognized as suitable for the purpose of the planting and adaptable to the locality. A minimum of 500 trees per acre for field and farmstead shelterbelts and 800 trees for woodland plantings with a survival of 60 percent will be required. Planting must be done while the trees are dormant. Plantings must be protected from fire, livestock, and rodents and cultivated and kept free of weeds during the growing season.

No credit shall be allowed for this practice unless the planting (other than pine) is cultivated, where necessary, and maintained and protected in accordance with the provisions set forth in the first paragraph under practice 27.

Trees purchased from a State nursery may qualify under this practice. Payment will not be made under this practice for the planting and protection of forest trees planted under a cooperative agreement entered into in connection with the Prairie States Forestry Project.

27. Cultivating, protecting, and maintaining a good stand of forest trees planted between July 1, 1937, and November 30, 1940 (or before July 1, 1941, if under a cooperative agreement with a governmental agency)—\$1.50 per acre.—The trees shall be cultivated sufficiently during the growing season (April 1 to August 31) to control weeds and grass on the planted area. Each cultivation shall be performed in accordance with approved tillage methods. Fire and livestock shall be excluded from the planted area. Recognized rodent-control practices shall be used where necessary to protect the plantings from damage by rodents. Proper tillage methods shall be

employed and, where necessary, cover crops established to protect the plantings from wind-erosion damage.

An adequate stand of trees and shrubs must be maintained by re-planting, if necessary, with a minimum survival of 300 trees per acre well distributed over the planted area for shelterbelts. For all other plantings, such as woodlots, etc., a minimum of 480 well-distributed trees per acre shall be considered adequate.

Miscellaneous

28. Control of bindweed (*convolvulus arvensis*)—\$7.50 per acre.—Payment will be made for the control of infestation of bindweed in organized weed-control districts or upon approval of the county committee outside of organized districts where infestation is limited to a single farm or where control measures are being carried out on adjoining and adjacent infested farms or there is no likelihood of re-infestation from adjacent land. At the time of checking performance if live plants are in evidence in the area treated, payment for the practice will not be approved.

29. Growing a home garden—\$1.50.—Credit will be given for a home garden grown on the farm for each landlord, tenant, or share-cropper family on the farm.

A home garden shall not be in more than two plots and must not be used for any other purpose during the year. Vegetables grown for home use, either for consumption, fresh, during the growing season, or for canning, drying, or storing, will qualify.

The home garden shall be established on the basis of approved methods of cultivation and tillage.

The home garden for the purpose of this practice shall not be less than one-half acre.

The garden shall consist of at least 10 different kinds of vegetables. Each kind of vegetable shall be planted in sufficient quantity to supply the farm family with a well-balanced vegetable diet.

30. Protecting restoration land—35 cents per acre.—Credit will be given for land properly designated as restoration land in 1939 on which the county committee finds that **no other** soil-building practice is needed in 1941 for the establishment of a permanent vegetative cover.

Section 8. SOIL-DEPLETING ACREAGE

(a) **Soil-depleting acreage** means the acreage of land devoted during the 1941 crop year to one or more of the following crops or uses. Land from which a volunteer crop is harvested shall be classified as if the crop were planted.

(1) Corn, including sweet corn and popcorn, planted for any purpose (except roasting ear corn or popcorn grown in home gardens for use on the farm).

(2) Tobacco harvested for any purpose.

(3) Grain sorghums planted for any purpose.

(4) Land considered as planted to cotton in accordance with the definition of acreage planted to cotton on page 2. Other land on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length.

- (5) Cultivated sunflowers harvested for any purpose.
- (6) Peanuts dug for any purpose (except when grown in a home garden for use on the farm).
- (7) Broomcorn planted for any purpose.
- (8) Mangels or cowbeets planted for any purpose.
- (9) Potatoes planted for any purpose (except when grown in home gardens for use on the farm).
- (10) Annual truck and vegetable crops planted for any purpose (except when grown in home gardens for use on the farm).
- (11) Field beans planted for any purpose (except when used as green manure or grown in home gardens for use on the farm).
- (12) English peas planted for canning, freezing, or dried peas (except when used as green manure or grown in home gardens for use on the farm).
- (13) Wheat planted (or regarded as planted) for any purpose on a wheat allotment farm (see page 3).
- (14) Wheat (on a nonwheat allotment farm), oats, barley, rye, or mixtures of these crops harvested for grain.
- (15) Wheat (on a nonwheat allotment farm), oats, barley, rye, or mixtures of these crops (including mixtures containing wheat on **any farm** harvested for hay, except (i) when such crops are used as nurse crops for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut for hay not later than the bloom stage, or (ii) when such crops are grown in a mixture containing at least 50 percent by weight of winter legumes.
- (16) Buckwheat, Sudan grass, or millet, harvested for grain or seed.
- (17) Sweet sorghum when harvested for grain, seed, or sirup.
- (18) Land summer-fallowed and not protected from wind and water erosion by methods approved by the State committee.
- (19) Flax planted for any purpose.
- (20) Commercial bulbs and flowers and strawberries harvested for any purpose.

(b) If one soil-depleting crop or land use is followed by another soil-depleting crop or land use on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded. It is necessary to take into consideration the meaning of "acreage planted to wheat" and "acreage planted to cotton" in determining the soil-depleting classification of the land. For example, if a given acreage is considered as planted to wheat in accordance with the definition of "acreage planted to wheat," such acreage shall be considered as having been planted to wheat as well as being soil depleting. If the wheat then fails and cotton is considered as having been planted on the same land, the land shall be considered as having been planted to cotton as well as to wheat but shall be counted as soil depleting only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded. In the above example, if the cotton fails and the same land is planted to a late general soil-depleting crop, such as grain sorghum, the classification of the land shall remain the same as above, that is, all of the land shall be classified as planted to wheat, all of it as planted to cotton, and all of it as soil depleting.

(c) If more than one soil-depleting crop or land use occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop or land use, except that:

(1) If cotton and a general soil-depleting crop are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), cotton shall be considered to occupy all of the land.

(2) In commercial vegetable allotment counties, if commercial vegetables and cotton are grown on the same acreage, all of the land shall be considered as planted to cotton, and in addition, all of the land shall be considered as planted to commercial vegetables if the commercial vegetables are planted in rows of less than twice the normal width for planting the crop alone. If the commercial vegetables are planted in rows at least twice the normal width for planting the crop alone, only half of the land shall be considered as planted to commercial vegetables.

(d) Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and the acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

(e) If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil-depleting, the entire acreage of land shall be classified as soil depleting, except that where strips of soil-depleting crops alternating with strips of crops or land uses not classified as soil depleting are 10 feet (3 rows not less than 40 inches wide) or more apart, the acreage occupied thereby is classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point not less than one-half the width of the soil-depleting row but not less than $1\frac{1}{2}$ feet from the outside of the strip of soil-depleting crop); provided that if peanuts (whether or not soil depleting) are grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are 7 feet or more apart, the land shall be classified in accordance with the actual acreage occupied by each crop.

Section 9. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments and re-toration land.—(1) The net payment or net deduction computed for any farm with respect to special and general crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.**—If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.**—If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and

the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(iii) **Separately owned tracts.**—In cases where two or more separately owned tracts of land comprise a farm for which a wheat allotment is determined, but for which no cotton allotment is determined, and on which the acreage of soil-depleting crops will not represent an equitable basis for dividing the payments or deductions computed with respect to the farm, the share of each person in the net payment or net deduction computed with respect to special and general crops on such farm shall, upon the written agreement of all persons who are entitled to receive a share of the proceeds of such crop, as shown by their signatures on Form ACP-95, be that share which fairly reflects the contribution of each such person to performance with respect to such crop and also results substantially in a division of such payment or deduction among landlords, tenants, and sharecroppers as classes, as each such class shares in the crop, or proceeds thereof, for which the payment or deduction is being made. Such share of each person shall be evidenced by the percentage shares shown on Form ACP-95.

(2) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

(3) The **15-cent** payment computed for restoration land shall be made to the owner of the land as of June 30, unless the land is rented for cash or fixed rent, in which case the payment shall be made to the tenant as of June 30.

(4) The deductions for (a) failure to prevent wind or water erosion, (b) cropping restoration land, and (c) breaking out of native sod, shall be regarded as a deduction for general crops.

B. Payments in connection with soil-building practices.—The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice, unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions.—If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be

prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 10. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1;
- (2) Any payment amounting to more than 71 cents but less than \$1 shall be increased by 40 percent;
- (3) Any payment amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$21.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	(1)
\$31.00 to \$31.99	10. 20	\$200.00 and over	(2)

¹ Increase to \$200.

² No increase.

Section 11. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms

and ranching units located in Oklahoma shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 12. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county.—The net deduction computed for any landlord, tenant, or sharecropper under sections 1 through 7 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State.—The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 13. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 14. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the de-

duction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 15. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program.—All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of

money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms.—No payments, except those in connection with restoration land and soil-building practices, shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures.—No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims.—Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or

operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments.—Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage.—Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton

acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

Section 16. APPLICATION FOR PAYMENT

A. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 9, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices or in carrying out conservation measures designed to promote restoration of a permanent vegetative cover on restoration land,

or (3) the owner or cash or fixed-rent tenant of a farm on which restoration land is designated.

B. Time and manner of filing application and information required.—Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms.—If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 17. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any allotment or soil-building allowance; (c) the division of payment, or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter

further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 18. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other lands included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord or owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation, excluding restoration land and any land which constitutes, or will constitute if such tillage is continued, a wind-erosion hazard to the community.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, wheat, and commercial vegetable acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 19. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority.—Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Oklahoma in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds.—The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability.—The provisions of this handbook (except sections 11 and 15A) are applicable only to farms in Oklahoma, but such provisions are not applicable to (1) counties for which special programs are approved for 1941 by the Secretary; (2) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (3) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (3) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture; or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Administrator on December 2, 1940, and of Supplement 1 thereto approved by the Administrator on January 22, 1941.

I. W. DUGGAN,
Director, Southern Division.

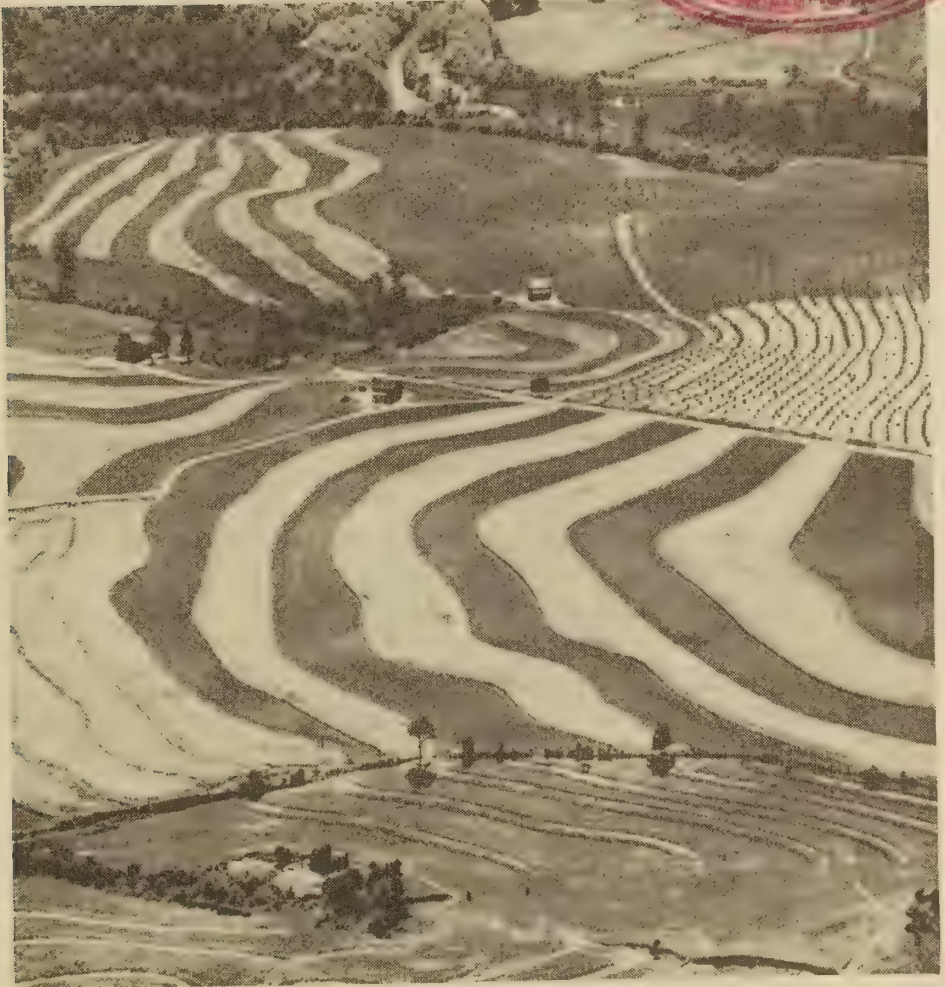
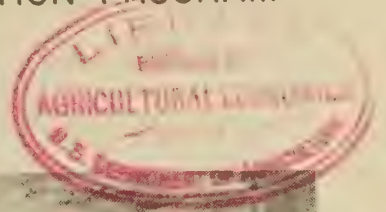
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South Carolina Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION

**Program effective from December 1, 1940
to November 30, 1941**



Issued January 1941



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1941

TO THE FARMERS OF SOUTH CAROLINA:

This publication contains the provisions of your farm program for 1941. It is "your program" in the strictest sense of the word. Your needs, your experiences, and your recommendations during the last eight years have made the program what it is.

We hope that you will continue to look for ways by which the program can be improved. In the critical year ahead of us, it is particularly necessary that the program continue to contribute to our national defense requirements.

Your community and county committeemen have worked hard to fit the details of the program to your own particular needs. Your State committee has consulted with them and with committeemen in other States in order to adapt a program that will meet our needs and, at the same time, best serve the Nation. In doing this, we have had to bear in mind that those provisions which best serve the majority of farmers were the ones that should go into the program.

The provisions outlined in this handbook blend into the whole picture of our national farm program. You are one of more than six million producers banded together to pool your industry and intelligence and to coordinate your farming methods for the common welfare of all the people.

The 1941 handbook sets before you clearly and concisely the details of the program in South Carolina. It outlines your opportunities and your responsibilities as a cooperating producer.

With your hearty interest in the day-to-day operations of the program, this handbook can assist you to use the program provisions more effectively and thereby make a better living from your farm. Its intelligent use by every farmer should make it possible to achieve all the goals set forth in the foreword, and result in greater happiness and security for all.

SOUTH CAROLINA AGRICULTURAL CONSERVATION COMMITTEE—

PAUL SANDERS, *Chairman*, Colleton County,
M. W. ADAMS, Marlboro County,
F. E. COPE, Orangeburg County,
L. M. LAWSON, Darlington County,
C. W. STONE, Laurens County,
D. W. WATKINS, *Director of Extension*,
R. W. HAMILTON, *Administrative Officer in Charge*.

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SOUTH CAROLINA HANDBOOK

1941 AGRICULTURAL CONSERVATION PROGRAM

FOREWORD

The 1941 Agricultural Conservation Program in South Carolina is a continuation of the conservation program which has been in effect for the last 5 years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. This program helps farmers to maintain the Nation's supply of farm products more nearly in line with demand and tends to help maintain a greater stability of farm income than would be the case if there were no orderly and balanced system of production and marketing.

Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of tobacco and wheat, with certain exceptions and special provisions as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, pro-

vided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(5) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. A permitted acreage will be determined for each "new" cotton farm for which an application in writing is filed in the county office prior to February 1, 1941; permitted acreages will also be made if applications in writing are received in the county office after February 1, 1941, provided any reserve is available at the time of filing the applications.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm for which a cotton allotment is determined or a deduction is computed in accordance with the following provisions:

(1) If records (accepted by the county committee as being reliable) of the actual average yield of cotton for the preceding 5 years are presented by the producer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for abnormal weather conditions.

(2) If for any year of the 5-year period reliable yield records are not available or there was no cotton produced on the farm in that year, the normal yield for the farm shall be the yield which the county committee determines could reasonably have been expected on the farm for the 5-year period. The committee's determination shall be based on all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments. The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment with respect to cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage, provided the cotton allotment or permitted acreage is not knowingly overplanted. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm or terpentine place under the 1941 Agricultural Conservation or Naval Stores Conservation Program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton is mailed to the farm operator; or

(3) Any acreage on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches or more in length, provided all such cotton is ginned on a roller gin.

If cotton and another crop that is ordinarily intertilled (including peanuts, corn, or truck crops, but excluding asparagus and legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), all of the land shall be considered as planted to cotton; if the rows or strips of cotton are 7 feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to cotton if the rows or strips of cotton are less than $13\frac{1}{2}$ feet apart (measured from the drill); if the rows or strips of cotton are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by cotton shall be considered as planted to cotton.

If cotton is planted in commercial orchards or in asparagus, only that part of the land that is actually occupied by cotton shall be considered as land planted to cotton. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 2. TOBACCO

A. Farm allotments. An allotment for flue-cured or Burley tobacco shall be determined for each farm on which such kind of tobacco was produced in one or more of the 5 years 1936-1940.

In the case of flue-cured tobacco, the farm allotments for 1941 shall be the same as the 1940 allotments.

In the case of Burley tobacco, the farm allotments for 1941 shall be determined by increasing or decreasing each 1940 allotment by the same percentage by which the 1941 national marketing quota is increased or decreased from the 1940 national marketing quota, provided that no allotment shall be reduced more than 10 percent below the 1940 allotment, and no allotment shall be decreased below the larger of (1) the 1939 allotment if it was one-half acre or less, or (2) the 1940 allotment if it was not over one acre, except that if the 1939 allotment was more than one-half acre and the 1940 allotment was less than one-half acre the 1941 allotment shall be one-half acre.

A small reserve is available for making adjustments in accordance with regulations prescribed by the Secretary. This acreage may be

used to increase farm allotments where an increase is necessary in order to make them comparable to allotments determined for other farms which are similar with respect to past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any foregoing provision, any flue-cured or Burley tobacco allotment may, in the case of violation of marketing quota regulations for the 1940-41 marketing year, be decreased by that percentage which the amount of tobacco marketed in violation of such regulations is of the farm marketing quota.

The allotment for any farm on which tobacco is produced in 1941 for the first time since 1935 shall be determined on the basis of the tobacco-producing experience of the farm operator; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco. If the acreage planted to tobacco in 1941 on any such farm is less than the 1941 tobacco allotment, the allotment shall be reduced to the acreage planted to tobacco.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal tobacco yield for each farm for which a tobacco allotment is determined or a deduction is computed in accordance with the following provisions:

(1) The normal yield for any farm on which tobacco was produced in one or more of the 5 years 1936-1940 shall be determined on the basis of the normal yield determined for the farm in 1940, taking into consideration the soil and other physical factors affecting the production of tobacco on the farm, and the yields obtained on other farms in the locality which are similar with respect to such factors.

(2) The normal yield for any farm on which tobacco is produced in 1941 for the first time since January 1, 1936, shall be that yield per acre which is fair and reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(3) The average of the normal yields for **all** farms in each county shall not exceed the approved county normal yield.

C. Payments. The payment is **0.8 cent** for each pound of the normal yield for each acre in the tobacco allotment. If the acreage of tobacco harvested is in excess of the allotment, there shall be a deduction at the rate of **8 cents** for each pound of the normal yield of the excess acreage.

Section 3. IRISH POTATOES

A. Farm allotments. In Beaufort, Charleston, Colleton, Hampton, and Jasper counties, designated as commercial potato counties, the county committee, with the assistance of other local committees, shall determine a potato allotment for each farm for which the normal acreage of potatoes is 3 acres or more. Allotments shall be determined on the basis of the acreage of potatoes customarily grown on the farm, production facilities, good soil management, tillable acreage on the farm, type of soil, and topography. The allotment for any farm shall compare with the allotments for other

farms in the same community which are similar with respect to such factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county potato allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield for each farm for which a potato allotment is determined or a deduction is computed. The normal yield shall be determined on the basis of the yields of potatoes customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for **all** farms in any county shall not exceed the approved county normal yield.

C. Payments. The payment is **2.3 cents** for each bushel of the normal yield for each acre in the potato allotment. For farms in the counties listed in subsection A, there shall be a deduction at the rate of **30 cents** for each bushel of the farm normal yield for each acre planted to potatoes in excess of the larger of the allotment or 3 acres.

D. Acreage planted to potatoes means the entire acreage of land on which potatoes are planted, except (1) when grown in home gardens, including land planted for home use from which the entire production is consumed on the farm, and (2) that all or any part of any potato acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to potatoes on the farm, may be considered as not having been planted to potatoes.

If potatoes and another crop that is ordinarily intertilled (including cotton or truck crops, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of potatoes are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to potatoes; if the rows or strips of potatoes are at least twice the normal width, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes.

If potatoes and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to potatoes if the rows or strips of potatoes are less than 13½ feet apart; if the rows or strips of potatoes are 13½ feet or more apart, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes.

If potatoes are planted in commercial orchards, only that part of the land that is actually occupied by potatoes shall be considered as planted to potatoes. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 4. COMMERCIAL VEGETABLES

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine an allotment for each farm for which the normal acreage of commercial vegetables is 3 acres or more in Allendale, Bamberg, Barnwell, Beaufort, Calhoun, Char-

leston, Chesterfield, Colleton, Florence, Lexington, Marlboro, Orangeburg, Spartanburg, and Williamsburg counties, designated as commercial vegetable counties. The allotment shall be determined on the basis of the acreage of vegetables grown on the farm in two or more of the years 1936-1940, inclusive, with adjustments for abnormal weather conditions, tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for **all** farms in the county, including farms on which vegetables were not grown in the period 1936-1940, inclusive, shall not exceed the county limit.

B. Payments. The payment is **\$1.30** for each acre in the commercial vegetable allotment, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. For farms in commercial vegetable counties, there shall be a deduction of **\$20.00** for each acre of land classified as commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetables or commercial vegetable acreage means the acreage of land on which there is planted annual vegetable or truck crops or from which there is harvested perennial vegetables, of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens, including all acreages of truck crops and vegetables planted on the farm for home use from which the entire production is consumed on the farm, (2) Irish potatoes in Beaufort, Charleston, and Colleton counties, (3) hot peppers for canning, and (4) dried beans, cowpeas, black-eyed peas, bulbs and flowers, watermelons, sweetpotatoes, strawberries, and cantaloupes; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted.

If commercial vegetables and another crop that is ordinarily intertilled (including cotton, corn, or peanuts, but excluding legumes other than peanuts) occupy the land at the same time and are grown in alternate rows or strips, or both, and the rows or strips of commercial vegetables are less than twice the normal width for planting the crop alone in the county, all of the land shall be considered as planted to commercial vegetables; if the rows or strips of commercial vegetables are at least twice the normal width, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables and idle land or a crop that is ordinarily solid-seeded, including legume hay crops, occupy the land at the same time and are grown in alternate rows or strips, or both, all of the land shall be considered as planted to commercial vegetables if the rows or strips of commercial vegetables are less than $13\frac{1}{2}$ feet apart; if the rows or strips of commercial vegetables are $13\frac{1}{2}$ feet or more apart, only that part of the land that is actually occupied by

commercial vegetables shall be considered as planted to commercial vegetables.

If commercial vegetables are planted in commercial orchards, only that part of the land that is actually occupied by commercial vegetables shall be considered as planted to commercial vegetables. It is to be noted that by double or consecutive cropping, interplanting, or strip cropping, the same piece of land may be classified as planted to two or more special soil-depleting crops.

Section 5. WHEAT

A. Farm usual acreages and allotments. The county committee, with the assistance of other local committees, shall determine usual acreages and allotments for wheat in accordance with the following:

(1) Usual acreages of wheat shall be determined for farms on which the normal acreage of wheat harvested as grain or for any purpose after reaching maturity is more than 10 acres. The usual acreage shall be determined on the basis of the past acreage, with due allowance for diversion under previous programs, abnormal weather conditions, tillable acreage, crop-rotation practices, type of soil, and topography. The sum of the usual wheat acreages determined for all farms in the county shall not exceed the sum of the average acreages seeded to wheat in 1938 and 1939 on such farms.

Wheat allotments for farms shall be determined by apportioning their proportionate share of the county allotment, less appropriate reserves, among farms for which usual acreages are determined and for which allotments are requested by the operators of the farms not later than November 1, 1940.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat will be seeded for harvest in 1941, but on which wheat was not seeded for harvest in any one of the 3 years 1938, 1939, and 1940, provided allotments are requested by the operators not later than November 1, 1940. The allotments shall be based on tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage seeded to wheat for harvest in 1941 is less than the 1941 allotment, the 1941 allotment shall be reduced to the acreage seeded to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm having a usual wheat acreage or for which a deduction is computed, as follows:

(1) Where records (accepted by the county committee as being reliable) of the actual average yields per acre of wheat for the 10 years 1930-1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield

because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for **all** farms in the county shall not exceed the approved county yield.

C. Non-wheat allotment farm means (1) a farm for which a usual acreage of wheat is determined, unless the operator, with the approval of the county committee, elects prior to November 1, 1940, to have the farm considered as a wheat allotment farm, or (2) a farm on which the acreage normally seeded for harvest is 10 acres or less. There may be harvested for each such farm, without penalty, an acreage of wheat equal to the largest of (1) the usual acreage of wheat for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

D. Payments. for wheat allotment farms, the payment is **8 cents** for each bushel of the normal yield for the farm for each acre in the wheat allotment. There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the largest of (1) the usual acreage of wheat for the farm, (2) 10 acres, or (3) if no wheat is marketed from the farm, 3 acres per family on the farm.

E. Acreage planted to wheat (for wheat allotment farms) means—

(1) Any acreage seeded to wheat, except when it is seeded in a mixture containing less than 50 percent by weight of wheat or containing 25 percent or more by weight of oats, rye, barley, vetch, or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop that could not be harvested as wheat for grain or seed;

(2) Any acreage seeded to a mixture designated above and the wheat matures but the other crops fail to mature; and

(3) Any acreage of volunteer wheat which is on the farm after May 1, 1941;

provided that an acreage not in excess of the larger of 3 acres or 3 percent of the allotment unintentionally planted in excess of the allotment shall not be considered as planted to wheat if disposed of by plowing, disking, or other similar tillage methods, within 15 days after notice of the acreage planted to wheat is mailed to the farm operator, but not later than May 1, 1941.

Section 6. DEDUCTION FOR FAILURE TO HAVE A MINIMUM ACREAGE OF EROSION-RESISTING OR SOIL-CONSERVING CROPS AND LAND USES

In South Carolina, where no total soil-depleting allotments will be determined under the 1941 program, a deduction of **\$5.00** shall

be made for each acre by which the acreage of erosion-resisting or soil-conserving crops and land uses on the farm is less than **20 percent** of the cropland on the farm. Such deduction shall apply only to farms having a cotton, tobacco, potato, or wheat allotment.

The following crops, **except those seeded in the fall of 1941**, when grown and cared for in a workmanlike manner on cropland, will count toward meeting this requirement:

- (1) Biennial or perennial legumes or perennial grasses, except those seeded in the fall of 1941
- (2) Lespedeza, crotalaria, cowpeas, sweetclover, or velvetbeans
- (3) Soybeans from which the seed is not harvested by mechanical means
- (4) Winter legumes, except those seeded in the fall of 1941
- (5) Common ryegrass, unless seeded in the fall of 1941
- (6) Small grains seeded in the fall of 1940 (except wheat on a wheat allotment farm) which are (a) used as a nurse crop for lespedeza or sweetclover and the nurse crop is cut green for hay in the spring of 1941, (b) seeded in a mixture containing at least 25 percent by weight of winter legume seed and harvested for hay, (c) used as a green manure crop, or (d) grazed and not harvested for grain or hay
- (7) Forest trees planted on cropland under the 1940 or 1941 program, except those planted in the fall of 1941

Any of these crops may qualify if grown on cropland on which another crop is grown in 1941, but acreages of these crops interplanted with intertilled row crops, such as cotton and corn, shall not qualify.

Cropland on which approved terraces are constructed under the 1941 program and on which no crop other than one or more of the erosion-resisting or soil-conserving crops listed in this section are grown in 1941 will count toward meeting the minimum requirement. For example, if winter legumes seeded in the fall of 1940 and cowpeas seeded solid are grown on an acre of cropland and the acre is also terraced in 1941 in accordance with practice 13, the acre will count as 3 acres toward meeting the minimum requirement.

Section 7. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, shall designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county to conserve and improve soil fertility and to prevent erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed

on the farm in order to conserve and improve soil fertility and prevent erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment which may be made in connection with soil-building practices, shall be the sum of the following:

(1) **70 cents** per acre of cropland in excess of the sum of the allotments for cotton, tobacco, Irish potatoes, and wheat for which payments are computed;

(2) **\$1.35** per acre of commercial orchards on the farm;

(3) **25 cents** per acre of fenced non-crop open pasture land in excess of one-half of the number of acres of cropland, which is capable of maintaining during the normal pasture season at least one animal unit for each 5 acres of such pasture land;

(4) The amount earned by planting forest trees in accordance with practice 16, not to exceed **\$15.00**.

If for any farm the sum of the maximum payments computed for cotton, tobacco, Irish potatoes, commercial vegetables, and wheat, and under items (1), (2), and (3) above is less than \$20.00, the amount determined under items (1), (2), and (3) shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that terraces constructed, forest trees planted, perennial legumes or grasses seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance when they are carried out during the period from December 1, 1940 to November 30, 1941, inclusive, in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part (the part representing one-half or more) with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Application of Materials

1. **Application of the following materials to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture:**

- (a) **48 pounds of available phosphate (P_2O_5)—\$1.50.** Some materials which will supply this amount of phosphate are: 300 pounds of 16 percent superphosphate, 240 pounds of 20 percent superphosphate, 100 pounds of 48 percent triple superphosphate, or a bag containing not less than 100 pounds of triple superphosphate furnished by the AAA.
- (b) **500 pounds of basic slag—\$1.50.**

SPECIFICATIONS: The material must be evenly distributed and may be applied only to the eligible crops grown alone or in mixtures consisting solely of eligible crops. In the case of lespedeza seeded alone, winter legumes, common ryegrass, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the small grain is harvested nor after June 15, 1941. The material may be applied to volunteer lespedeza or crotalaria if the application is made between February 1 and June 15, 1941. Credit will not be given for the application of phosphate to crotalaria or lespedeza if such crops are followed by a crop planted prior to the fall of 1941. Winter legumes seeded in row-crop middles are considered as grown alone. Basic slag must be ground sufficiently fine so that a minimum of 80 percent will pass through a 100-mesh sieve.

2. **Application of 1 ton of ground limestone (or its equivalent)—\$2.50.**

SPECIFICATIONS: The limestone must be 88 percent or more calcium carbonate equivalent; if limestone of lower grade than this is used, it must be applied in amounts sufficient to supply calcium carbonate equivalent to the above. The materials listed below are considered equivalent to 1 ton of ground limestone:

- 1,000 pounds of burned limestone
- 1,400 pounds of hydrated lime
- 2,000 pounds of ground oyster shells

The above materials must be of sufficient fineness so that 98 percent will pass through a 10-mesh sieve and 40 percent through a 100-mesh sieve.

Seedings

3. **Seeding winter legumes—\$1.50 per acre.**

SPECIFICATIONS: Only the winter legumes listed below may qualify and they must be seeded not later than November 15, 1941:

- Vetch—20 pounds in rows or 25 pounds broadcast
- Austrian winter peas—20 pounds in rows or 30 pounds broadcast
- Clean crimson clover—15 pounds (or the equivalent in chaffy seed)
- Bur-clover—50 pounds in the bur

Unless a successful crop of the particular winter legume has been grown on the land the previous year, such legume must be inoculated. Unless the legume is planted following cotton, at least 200 pounds of 16 percent superphosphate (or its equivalent) or 400 pounds of basic slag must be applied per acre. In fields where there is a known deficiency of lime, lime must be applied. The application of lime, superphosphate, or basic slag will also qualify under practice 1 or 2 if applied in accordance with the specifications for such practice.

4. **Seeding annual lespedeza—\$1.00 per acre.**

SPECIFICATIONS: Annual lespedeza must be seeded not later than April 30, 1941, and at not less than 30 pounds per acre. At least a 75 percent stand of

lespedeza must be growing at the time performance is checked. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

5. Seeding crotalaria—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Crotalaria must be seeded not later than June 1, 1941, and at not less than 20 pounds per acre broadcast. Where there is a known deficiency of phosphate, it must be applied. Credit will be given for applying the phosphate under practice 1 if applied in accordance with the specifications for such practice.

6. Seeding lespedeza sericea—\$1.50 per acre.

SPECIFICATIONS: The land must be prepared in a workmanlike manner prior to seeding. Lespedeza sericea must be seeded not later than June 1, 1941, and at not less than 20 pounds of scarified seed or 35 pounds of unscarified seed per acre. Where there is a known deficiency of phosphate or lime, this material must be applied. The application of lime or phosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

7. Establishment of a permanent vegetative cover of kudzu—\$4.50 per acre.

SPECIFICATIONS: The land must be well prepared prior to planting and fertilized with a minimum of 200 pounds of 16 percent superphosphate (or its equivalent) or 400 pounds of basic slag, and cultivated until the vines cover the ground. A minimum of 300 evenly distributed kudzu plants per acre showing healthy growth must be on the land at the time performance is checked. To obtain this number of surviving plants, it is necessary, under normal conditions, to set out at least 500 plants per acre during the dormant season. Credit will be given for applying the phosphate or basic slag to kudzu under practice 1 if applied in accordance with the specifications for such practice.

Pasture

8. Establishment of a permanent pasture by sodding and seeding—\$4.50 per acre.

SPECIFICATIONS: The acreage which is to be established in permanent pasture shall have the bushes and trees removed so that the pasture can be properly mowed. The top soil must be stirred by plowing or disking, or its equivalent, to prepare a seedbed and to destroy weeds. Where the land to be established to permanent pasture is eroded, such steps as are necessary to control the erosion must be taken before the pasture is established.

The following plantings are required for the types of soil described:

(a) Dry, less fertile uplands:

Bermuda grass cuttings (sod pieces planted not more than 3 feet apart or sprigs not more than 2 feet apart)

Lespedeza—25 pounds

(b) Fertile uplands and medium bottoms:

Bermuda grass cuttings (sod pieces planted not more than 3 feet apart or sprigs not more than 2 feet apart)

Dallis grass—5 to 10 pounds (optional)

Lespedeza—15 pounds

White Dutch clover, Giant Dixie White Dutch, alsike, or crimson clover—5 pounds.

(c) Sodding is not recommended for moist to wet lowlands and seepage areas and such types of soil, when seeded in accordance with the specifications, will qualify under practice 9.

9. Seeding approved pasture mixture on moist to wet lowlands and seepage areas—\$3.00 per acre.

SPECIFICATIONS: The acreage which is to be established in permanent pasture shall have the bushes and trees removed so that the pasture can be properly

mowed. The top soil must be stirred by plowing or disking, or its equivalent, to prepare a seedbed and to destroy weeds. The planting of the following mixture is required:

Carpet grass—8 pounds
Dallis grass—5 to 10 pounds (optional)
Lespedeza—15 pounds
White Dutch clover, Giant Dixie White Dutch, alsike, or crimson clover—5 pounds

In fields where there is a known deficiency of lime, not less than 1,000 pounds of lime per acre must be added. An application of 300 pounds of at least 16 percent superphosphate (or its equivalent) must be applied per acre. The application of lime and phosphate will qualify under practice 1 or 2 if applied in accordance with specifications for such practice.

10. Seeding a pasture mixture on established sod—\$1.50 per acre.

SPECIFICATIONS: Two or more of the following must be seeded, but annual lespedeza must not constitute more than 50 percent of the mixture:

Lespedeza—15 pounds
Dallis grass—5 to 10 pounds
White Dutch clover, Giant Dixie White Dutch, alsike, or crimson clover—5 pounds

The preparation of the land and seeding must be done in a workmanlike manner and in accordance with good farming practices.

In fields where there is a known deficiency of lime, not less than 1,000 pounds of lime per acre must be added. An application of at least 300 pounds of 16 percent superphosphate (or its equivalent) must be applied per acre. The application of lime and phosphate will qualify under practice 1 or 2 if applied in accordance with the specifications for such practice.

[Bulletin No. 99, "Permanent Pastures for South Carolina," issued by the South Carolina Extension Service, may be used, if available, as a guide for the preparation and planting of permanent pastures under practices 8, 9, and 10.]

11. Renovation of permanent pastures infested with noxious weeds and other competing plants or shrubs by mowing—50 cents per acre.

SPECIFICATIONS: Pastures shall consist of a mixture of perennial grasses and pasture legumes and shall be mowed twice each year or more often, if necessary, to control weeds, shrubs, bushes, etc. The plants mowed are neither to be used for feeding purposes nor sold for any purpose. Bushes and shrubs too heavy to mow shall be grubbed. All bushes and shrubs must be kept off the land.

12. Development of non-crop open pasture land which will be capable of carrying one animal unit for each 2 acres during a pasture season of at least 5 months—\$3.00 per acre.

SPECIFICATIONS: (a) The non-crop open pasture land to qualify under this practice must have prior approval of the county committee, and the pasture developed must be required primarily for meeting farm and home needs.

(b) The area approved must not carry a stand of potential timber trees of desirable species, and the original condition of the area must be such that a satisfactory sod could not be established or the area mowed without the removal of the brush, vines, trees, and loose stones.

(c) The area approved under this practice must also be seeded or sodded and seeded in accordance with the specifications for practice 8 or 9, for which credit will be given under practice 8 or 9 if seeded in accordance with the specifications for such practice.

(d) At least 300 pounds of 16 percent superphosphate per acre must be applied in all cases, and lime must also be applied if the pH is below 6, for which credit will be given under practice 1 or 2 if applied in accordance with the specifications for such practice.

(e) The area approved must be adequately fenced.

Erosion Control

13. Construction of standard terraces for which proper outlets are provided—100 linear feet of terrace, 75 cents.

(a) The grade or fall along the terrace line shall be determined by the soil type, slope of land, and terrace length. The following table shall be used in determining terrace grades:

Length of the terrace from upper end (feet)	Fall of terrace in inches for each 100 feet			
	Sandy subsoil		Clay subsoil	
	Slope 0-6%	Slope 7-12%	Slope 0-6%	Slope 7-12%
0 to 300.....	0	0	$\frac{1}{2}$	1
300 to 600.....	$\frac{1}{2}$	$\frac{1}{2}$	1	2
600 to 900.....	1	1	2	3
900 to 1,200.....	$1\frac{1}{2}$	$1\frac{1}{2}$	3	4
1,200 to 1,500.....	2	3	4	5

(b) The vertical distance or drop between terraces shall be determined by the slope of the land as given in the table below:

Slope of land in feet per 100 feet	Vertical distance or drop between terraces	Approximate horizontal distances between terraces
2 feet.....	2 feet 9 inches.....	140 feet.
3 feet.....	3 feet 0 inches.....	100 feet.
4 feet.....	3 feet 3 inches.....	80 feet.
5 feet.....	3 feet 6 inches.....	75 feet.
6 feet.....	3 feet 9 inches.....	63 feet.
7 feet.....	4 feet 0 inches.....	57 feet.
8 feet.....	4 feet 3 inches.....	53 feet.
9 feet.....	4 feet 6 inches.....	50 feet.
10 feet.....	4 feet 9 inches.....	48 feet.
12 feet.....	5 feet 4 inches.....	43 feet.

(c) The cross section (height and width) of terraces shall equal or exceed the specifications as given below:

Slope of land in feet per 100 feet	Minimum height—top of terrace above upper channel	Minimum width—from low point in terrace channel to center top of terrace
0 to 4 feet.....	12 inches (settled).....	7 feet.
5 to 8 feet.....	13 inches (settled).....	6 feet.
9 to 12 feet.....	15 inches (settled).....	5 feet.

(d) The terrace outlet is the point where the run-off water from terraces is turned loose. Controlled outlets are an essential part of a terrace system and shall be protected to prevent "cutting back." The area beyond the outlets should be adequately wooded, sodded, or protected with other suitable covers. When natural protection is not available, such protection must be provided.

Green Manure and Cover Crops**14. Green manure and cover crops—**

- (a) Summer and winter-growing legumes and winter-growing non-legumes left on the land or turned under as green manure—\$1.50 per acre.
- (b) Seeded summer-growing non-legumes left on the land or turned under as green manure—75 cents per acre.

SPECIFICATIONS: Credit will **not** be given for lespedeza, crotalaria, kudzu, peanuts, any volunteer crop, soybeans from which the seed is harvested by mechanical means, or any crop for which payment is made under the 1941 program under any other practice.

A summer-growing crop turned under on land subject to erosion must be followed by a winter cover crop. A good stand and good growth must be obtained and left on the land or turned under. A good growth means a growth which, if harvested, would make approximately $\frac{2}{3}$ ton per acre of air-dry legumes and winter-growing non-legumes and approximately $1\frac{1}{2}$ tons per acre of air-dry summer-growing non-legumes.

15. Cowpeas, velvetbeans, crotalaria, or soybeans, interplanted or grown in combination with intertilled row crops—30 cents per acre.

SPECIFICATIONS: A good stand and good growth must be obtained and the vines not harvested, or in the case of soybeans the seed removed by mechanical means. A good growth means approximately $\frac{1}{2}$ ton per acre of air-dry material (10 pounds green weight for an average plot of 100 square feet).

Forestry**16. Planting forest trees—**

- (a) Longleaf, slash ("Cuban"), loblolly, shortleaf pines, or mixtures of these—\$4.50 per acre.
- (b) Red cedar, black locust, black walnut, yellow poplar, white ash, black cherry, red oak, white oak, or mixtures of these—\$6.00 per acre.

SPECIFICATIONS: Trees shall be spaced from 5 to 8 feet apart with square or rectangular spacing that will average at least 1,000 trees per acre. There shall be a survival of 600 trees per acre averaged over each unit area of 5 acres or less. Planting may be done at any time of year with wild seedlings lifted with a ball of earth on their roots but must be done during the dormant season if nursery stock is used. For black locust and other hardwoods, soil must be prepared for planting by flat-breaking or bedding or deep disking. Plantings must be adequately protected from fire and animals, and hardwoods must be cultivated twice the first growing season.

Trees purchased from a State nursery may qualify under this practice.

17. Cultivating, protecting, and maintaining hardwood trees planted between January 1, 1940 and November 30, 1940—\$1.50 per acre.

SPECIFICATIONS: (a) The planted stand must contain a minimum of 600 living trees per acre. Where fewer trees than 600 survive, additional plantings will be necessary.

(b) The trees must be cultivated twice between May and August 31, 1941.

(c) All plantings must be fully protected from livestock by the construction of fences, if necessary. The trees must also be protected adequately to prevent damage by fire. Firebreaks must be constructed by plowing on sides adjacent to woodlands or fields having a fire hazard.

Miscellaneous**18. Growing a home garden for a landlord, tenant, or sharecropper family on a farm—\$1.50 per garden.**

SPECIFICATIONS: (a) There must be at least one-fourth acre (excluding sweetpotatoes) of garden for each family.

(b) The garden (excluding sweetpotatoes) shall be planted in not more than two pieces of ground and must be devoted to vegetables throughout the year. At least 10 different vegetables must be produced, which may include roasting ear corn, crowder or field peas, tomatoes, and sweetpotatoes grown outside the garden plot. Two or more families on the same farm may combine their gardens into a common area. Suggested basic vegetables include sweetpotatoes, Irish potatoes, collards, turnip greens, turnip roots, snap beans, crowder or field peas, lima beans, cabbage, tomatoes, onions, and okra.

(c) The soil must be prepared properly and fertilized and must be kept reasonably well cultivated throughout the year.

(d) An effort must be made to control insect pests.

(e) Adequate protection from livestock must be provided.

Section 8. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to cotton, tobacco, Irish potatoes, commercial vegetables, or wheat shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, plant-bred diseases, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(2) The deduction, if any, due to insufficient acreage of erosion-resisting or soil-conserving crops shall be regarded as a pro rata deduction with respect to the payments computed in connection with cotton, tobacco, Irish potato, commercial vegetable, and wheat allotments.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the

persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 9. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99-----	\$0. 40	\$12.00 to \$12.99-----	\$4. 80
\$2.00 to \$2.99-----	. 80	\$13.00 to \$13.99-----	5. 20
\$3.00 to \$3.99-----	1. 20	\$14.00 to \$14.99-----	5. 60
\$4.00 to \$4.99-----	1. 60	\$15.00 to \$15.99-----	6. 00
\$5.00 to \$5.99-----	2. 00	\$16.00 to \$16.99-----	6. 40
\$6.00 to \$6.99-----	2. 40	\$17.00 to \$17.99-----	6. 80
\$7.00 to \$7.99-----	2. 80	\$18.00 to \$18.99-----	7. 20
\$8.00 to \$8.99-----	3. 20	\$19.00 to \$19.99-----	7. 60
\$9.00 to \$9.99-----	3. 60	\$20.00 to \$20.99-----	8. 00
\$10.00 to \$10.99-----	4. 00	\$21.00 to \$21.99-----	8. 20
\$11.00 to \$11.99-----	4. 40	\$22.00 to \$22.99-----	8. 40

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$23.00 to \$23.99-----	\$8. 60	\$43.00 to \$43.99-----	\$12. 30
\$24.00 to \$24.99-----	8. 80	\$44.00 to \$44.99-----	12. 40
\$25.00 to \$25.99-----	9. 00	\$45.00 to \$45.99-----	12. 50
\$26.00 to \$26.99-----	9. 20	\$46.00 to \$46.99-----	12. 60
\$27.00 to \$27.99-----	9. 40	\$47.00 to \$47.99-----	12. 70
\$28.00 to \$28.99-----	9. 60	\$48.00 to \$48.99-----	12. 80
\$29.00 to \$29.99-----	9. 80	\$49.00 to \$49.99-----	12. 90
\$30.00 to \$30.99-----	10. 00	\$50.00 to \$50.99-----	13. 00
\$31.00 to \$31.99-----	10. 20	\$51.00 to \$51.99-----	13. 10
\$32.00 to \$32.99-----	10. 40	\$52.00 to \$52.99-----	13. 20
\$33.00 to \$33.99-----	10. 60	\$53.00 to \$53.99-----	13. 30
\$34.00 to \$34.99-----	10. 80	\$54.00 to \$54.99-----	13. 40
\$35.00 to \$35.99-----	11. 00	\$55.00 to \$55.99-----	13. 50
\$36.00 to \$36.99-----	11. 20	\$56.00 to \$56.99-----	13. 60
\$37.00 to \$37.99-----	11. 40	\$57.00 to \$57.99-----	13. 70
\$38.00 to \$38.99-----	11. 60	\$58.00 to \$58.99-----	13. 80
\$39.00 to \$39.99-----	11. 80	\$59.00 to \$59.99-----	13. 90
\$40.00 to \$40.99-----	12. 00	\$60.00 to \$185.99-----	14. 00
\$41.00 to \$41.99-----	12. 10	\$186.00 to \$199.99-----	(1)
\$42.00 to \$42.99-----	12. 20	\$200.00 and over-----	(2)

¹ Increase to \$200.00.² No increase.

Section 10. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and turpentine places located in South Carolina shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 11. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county. The net deduction computed for any landlord, tenant, or sharecropper under sections 1 to 7, inclusive, shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted

from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 12. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 13. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 14. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

- (1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

- (3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

- (5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

- (6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the opera-

tions or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

- (7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

- (8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

- (9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

- (10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any Government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

- (11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of

obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

- (12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years

1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will

not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that:

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge, but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of sections 1 through 5, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for

such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Section 15. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 8, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 31, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 16. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) eligibility to file an application for payment; (b) any cotton, tobacco, Irish potato, commercial vegetable, or wheat allotment, or soil-building allowance; (c) the division of payment, or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request

for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 17. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a

share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm on December 1, 1940 (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Non-crop open pasture land** means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** mean cotton, tobacco, Irish potato, commercial vegetable, and wheat acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 18. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority. Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in South Carolina in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds. The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact; the making of the payments herein provided is contingent upon such appropriation as Congress may hereafter provide; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

C. Applicability. The provisions of this handbook (except sections 10 and 14A) are applicable only to farms in South Carolina, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

This printed publication contains the provisions of the handbook approved by the Administrator on October 28, 1940, and of Supplement 1 thereto approved by the Acting Administrator on December 20, 1940.

I. W. DUGGAN,
Director, Southern Division.



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U. S. Department of Agriculture

Texas Handbook

1941 AGRICULTURAL CONSERVATION PROGRAM



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION



Name _____

Farm Serial No. _____



Issued January 1941



UNITED STATES
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FOREWORD

The 1941 Agricultural Conservation Program in Texas is a continuation of the conservation program which has been in effect for the last five years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. The purpose of these allotments is to help farmers to maintain the Nation's supply of farm products more nearly in line with demand and to more nearly stabilize income at the parity level than would be the case if there were no orderly and balanced system of production and marketing of these products.

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TEXAS HANDBOOK

1941 Agricultural Conservation Program

Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Texas in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions in this handbook (except secs. 12 and 16A) are applicable only to farms in Texas, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States, and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership, including, but not limited to, lands owned by the United States and administered by the Forest Service, Soil Conservation Service, Bureau of Agricultural Economics, Division of Grazing, or Bureau of Biological Survey. Therefore, no payment may be made to any producer under the 1941 program with respect to such lands.

The provisions of this handbook are also not applicable to farms in Dallam, Deaf Smith, Hansford, Hartley, Moore, Oldham, Sherman, and other counties for which special agricultural conservation programs are approved for 1941 by the Secretary.

The 1941 program is effective for the period beginning December 1, 1940, and ending November 30, 1941, in all counties except Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Starr, Willacy, and Zapata. In the counties listed the program is effective for the period beginning November 1, 1940, and ending October 31, 1941. However, the acreages of commercial vegetables will be counted on a 12-month basis beginning November 1, 1940, for the counties listed and January 1, 1941, for all other counties.

Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage—uniform for the county or administrative area—of the farm's cropland, excluding the acreage normally devoted to the commercial production of wheat and rice, with certain exceptions and special provisions, as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased

to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past three years.

(5) A small reserve may be available from any "frozen" cotton allotments released by operators to be used to increase allotments that are inadequate and not representative.

(6) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm having a cotton allotment or permitted acreage.

(1) The normal yield shall be the actual average yield of cotton per acre for the 5 years 1936-40, adjusted for abnormal weather conditions, if reliable records of the actual average of such yields are presented by the producer or are available to the committee.

(2) If for any year of the 5-year period reliable records of the actual average yield are not available or there was no actual yield because cotton was not produced on the farm in such year, the normal yield for the farm shall be the yield which the county committee determines to be the average yield which was or could reasonably have been expected on the farm for the 5-year period on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments. The payment is **1.37 cents** for each pound of the normal yield for each acre in the cotton allotment. No payment on cotton will be made for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment or permitted acreage, there shall be a deduction at the rate of **4 cents** for each pound of the normal yield of the excess acreage. **Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm, ranch, or turpentine place under the 1941 Agricultural Conservation, Range Conservation, or Naval Stores Conservation Programs.**

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(2) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) Any acreage from which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length. Cotton produced from strains of Sea Island or American-Egyptian seed, certified as pure strains by a State or Federal agency, will be considered to staple $1\frac{1}{2}$ inches in length, provided all such cotton is ginned on a roller gin.

Section 2. WHEAT

A. Farm allotments. (1) The county committee, with the assistance of other local committees, shall determine allotments for farms on which wheat was planted for harvest in one or more of the years 1938, 1939, and 1940, on the basis of tillable acreage and crop-rotation practices, as reflected in the usual acreage of wheat on the farm, or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat was not planted for harvest in any of the years 1938, 1939, or 1940, but on which wheat is planted for harvest in 1941. This apportionment shall be made on the basis of tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage planted to wheat for harvest in 1941 on any such farm is less than the 1941 wheat allotment, the allotment will be reduced to the acreage planted to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Nonwheat allotment farm means (1) a farm for which a wheat allotment of 5 acres or less is determined and the operator has not made a written request for the farm to be considered as an allotment farm, and (2) a farm for which a wheat allotment of more than 5 acres is determined and the county committee approves a written request of the farm operator to have such farm considered as a nonallotment wheat farm. The written request for the non-allotment option must be received in the county office not later than November 1, 1940, in Childress, Hall, Motley, Floyd, Hale, Lamb, and Bailey counties, and all counties lying north of these counties, and December 31, 1940, in all other counties, except that if the wheat allotment notice is not transmitted to the operator prior to 15 days before the closing date the request may be made within 15 days after the date shown on the notice of the 1941 wheat allotment.

C. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm for which a wheat allotment is determined or a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930 to 1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall

be the average of such yields, adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection C shall be adjusted so that the average of the normal yields for **all** farms in the county shall not exceed the approved county normal yield.

D. Payments. For a wheat allotment farm, the payment is **8 cents** for each bushel of the normal yield for each acre in the wheat allotment. There shall be a deduction at the rate of **50 cents** for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

For a nonwheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the larger of the allotment or 10 acres.

E. Acreage planted to wheat (on a wheat allotment farm) means (1) any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat); (2) any acreage seeded to a mixture and the wheat matures, but the other crop(s) fail to mature; and (3) any acreage of volunteer wheat which is harvested or remains on the land after May 1, 1941.

Section 3. RICE

A. Farm allotments. The county committee, with the assistance of other local committees and the approval of the State committee, shall determine rice allotments in accordance with the following:

(1) An allotment shall be determined for each farm tilled by a producer who participated in the production of rice in one or more of the 5 years 1936-1940 and who will participate in the production of rice in 1941. The allotment shall be determined on the basis of his past production of rice during the 5 years 1936-1940, adjusted to the acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility, the acreage diverted under previous agricultural conservation programs, and other physical factors affecting the production of rice, including the labor and equipment available for the production of rice on the farm.

(2) A small reserve is available to be apportioned among farms tilled by producers who are participating in the production of rice in 1941 for the first time since January 1, 1936. The allotments shall be determined on the basis of the applicable standards set forth in the above paragraph, except that the rice allotment for any such farm shall not exceed 75 percent of the allotment that would have been made to the farm had such person(s) participated in the production of rice in one or more of the 5 years 1936-1940. If the 1941 acreage of rice on a farm tilled solely by producers who are partici-

pating in the production of rice for the first time in 1941 since January 1, 1936, is less than the 1941 rice allotment, the final allotment shall be reduced to the 1941 rice acreage.

(3) The sum of the rice allotments in a State shall not exceed the State allotment.

B. Farm normal yields. The State and county committees, with the assistance of other local committees, shall determine for each farm for which a rice allotment is determined or a deduction is computed a normal yield of rice in accordance with the following:

(1) If reliable records of the actual average yield of rice per acre for the 5 years 1936-1940 are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(2) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (1) of this subsection.

(3) If the average of the normal yields for all farms participating in the 1941 program in the State exceeds the average yield per acre for the State during the 5 years 1936-1940, the normal yields for **all** such farms shall be reduced pro rata so that the average of such normal yields will not exceed the State average yield.

C. Payments. The payment is **8.91 cents** for each barrel of the normal yield for each acre in the rice allotment. If the acreage planted to rice is in excess of the allotment, there shall be a deduction at the rate of **97.2 cents** for each barrel of the normal yield of the excess acreage.

Section 4. PEANUTS

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine peanut allotments on the basis of the smaller of (1) an indicated acreage of peanuts, as reflected in the tillable acreage available for the production of peanuts for market, taking into consideration other special crop acreage allotments determined for the farm, with adjustments for production facilities and other physical factors affecting the production of peanuts on the farm, and (2) the acreage customarily grown for market.

The peanut allotments determined for the farms in a county shall not exceed their proportionate part of the county allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield of peanuts for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for all farms in any county shall not exceed the approved county normal yield.

C. Payments. The payment is $11\frac{1}{4}$ cents for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of \$1.50 for each 100 pounds of the normal yield of the excess acreage.

D. Peanuts for market means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

Section 5. COMMERCIAL VEGETABLES

A. Farm allotments. In the commercial vegetable counties designated in subsection C, a vegetable allotment shall be determined by the county committee, with the assistance of other local committees, for each farm on which the acreage of land normally planted to commercial vegetables is 3 acres or more. The vegetable allotment shall be determined on the basis of the 1936-1937 average acreage or the average of a later period adjusted to the 1936-1937 level, with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county shall not exceed the approved county limit.

B. Payments. The payment is \$1.30 for each acre in the commercial vegetable allotment determined for the farm, or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. There shall be a deduction for farms in commercial vegetable counties of \$20.00 for each acre of commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetable counties are as follows: Atascosa, Bee, Bexar, Bowie, Brooks, Cameron, Cherokee, Collin, Dallas, DeWitt, Dimmit, Duval, Ellis, El Paso, Fannin, Fort Bend, Frio, Galveston, Harris, Henderson, Hidalgo, Hunt, Jim Wells, Karnes, Kaufman, Kleberg, Lamar, LaSalle, Lavaca, Limestone, Live Oak, Maverick, Medina, Navarro, Nueces, Panola, Parker, Red River, Refugio, Rockwall, San Patricio, Smith, Tarrant, Van Zandt, Victoria, Webb, Wharton, Willacy, Williamson, Wilson, Wood, and Zavala.

D. Commercial vegetables means the acreage planted to annual vegetables or truck crops of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens for use on the farm, (2) English peas for canning or freezing, sweet corn for canning, and (3) dried beans, chili peppers, cowpeas, bulbs and flowers, watermelons, cantaloupes, sweet-potatoes, and strawberries; provided that all or any part of any vegetable acreage totally destroyed by flood, freeze, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to vegetables on the farm, may be considered as not having been planted, and provided further that the acreages

of commercial vegetables will be counted on a 12-month basis beginning November 1, 1940, in Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Starr, Willacy, and Zapata counties, and January 1, 1941, in all other counties.

Section 6. TOTAL SOIL-DEPLETING CROPS

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine a total soil-depleting allotment for each farm. The allotment shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops, including sugar beets, customarily grown on the farm, taking into consideration special crop allotments determined for the farm. The total allotment for any farm shall compare with the total allotments for other farms in the same community which are similar with respect to these factors. The total soil-depleting allotments determined for the farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm productivity indexes. The county committee, with the assistance of other local committees, shall determine a productivity index for each farm. The productivity index shall be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of any crop that does accurately reflect the productivity of the farm may be used. Where the 1940 productivity index accurately reflects the productivity of a farm for 1941, it may be used for the 1941 program. The productivity index for the farm shall be fair and equitable as compared with the productivity indexes for other farms in the county. The average productivity index for **all** farms in the county shall not exceed 100.

C. Payments. The rate of payment for general allotment farms is the county rate per acre,¹ adjusted for productivity, for each acre in the total allotment in excess of the sum of (1) the special crop acreages with respect to which a payment is computed and (2) the acreage of sugar beets for sugar planted for harvest in 1941.

For **general allotment farms**, there shall be a deduction at the county rate,¹ adjusted for productivity, for the soil-depleting acreage in excess of the sum of (1) the total allotment and (2) the acreages for which deductions are computed with respect to special crops. For **nongeneral allotment farms**, there shall be a deduction on the above basis for the soil-depleting acreage in excess of the sum of (1) 20 acres, or, in counties designated under subsection D, 30 acres, (2) the cotton allotment or permitted cotton acreage for the farm, and (3) the acreages for which deductions are computed with respect to special crops.

D. Nongeneral allotment farm means a farm on which the total soil-depleting allotment (excluding the cotton allotment or permitted cotton acreage) is not in excess of 20 acres [or 30 acres in the following

¹ The average rate of payment per acre for general crops in the United States is \$1.10 per acre and the average rate of deduction is \$8.00 per acre. The Secretary will establish for each county a rate of payment and deduction per acre.

counties: Anderson, Angelina, Austin, Bastrop, Bowie, Brazos, Burleson, Camp, Cass, Cherokee, Colorado, Fayette, Franklin, Freestone, Gregg, Grimes, Hardin, Harrison, Henderson, Hopkins, Houston, Jasper, Lavaca, Lee, Leon, Madison, Marion, Montgomery, Morris, Nacogdoches, Newton, Panola, Polk, Rains, Red River, Robertson, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, Walker, Waller, Washington, and Wood] but on which the soil-depleting acreage is in excess of the sum of (1) the total soil-depleting allotment, and (2) the acreages for which deductions are computed with respect to special crops.

E. General soil-depleting crops or general crops means all crops and land uses listed in the definition of soil-depleting acreage, except (1) special crops for which a separate payment or deduction is computed for the farm, and (2) sugar beets for sugar. Wheat on a non-wheat allotment farm and commercial vegetables on a nonvegetable allotment farm in a commercial vegetable county shall be regarded as general crops for the purpose of determining the division of the net payment or net deduction computed with respect to general crops.

Section 7. MISCELLANEOUS DEDUCTIONS

Failure to prevent wind or water erosion. There shall be a deduction of \$1.00 for each acre of cropland in the farm (not to exceed the total payment computed for the farm) which is subject to serious wind or water erosion and on which approved measures for the prevention of wind or water erosion are not adopted in 1941

Section 8. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying-out of soil-building practices most needed on farms in the county in order to conserve and improve soil fertility and to prevent wind and water erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment available as assistance for carrying out soil-building practices, is the sum of the following:

(1) **50 cents** for each acre of cropland in excess of the total soil-depleting allotment for the farm;

(2) **70 cents** for each acre with respect to which a commercial vegetable payment is computed under section 5 B;

(3) **\$1.35** for each acre of commercial orchards on the farm at the beginning of the program year;

(4) For noncrop open pasture land in the farm (if there are more than 1,500 acres of noncrop open pasture land on a farm, none of such land may be used in computing the soil-building allowance for the farm):

(a) **8 cents** per acre in the following counties and in all counties lying west of the counties named: Wilbarger, Foard, Knox, Haskell, Stonewall, Fisher, Scurry, Howard, Martin, Midland, Upton, Pecos, and Terrell;

(b) **9 cents** per acre in the following counties: Archer, Baylor, Brooks, Callahan, Clay, Coke, Comanche, Crockett, Dimmit, Duval, Eastland, Erath, Frio, Glasscock, Irion, Jack, Jim Hogg, Jones, Kinney, LaSalle, Maverick, McMullen, Mitchell, Nolan, Palo Pinto, Reagan, Shackelford, Starr, Sterling, Stephens, Taylor, Throckmorton, Uvalde, Val Verde, Webb, Wichita, Young, Zapata, and Zavala;

(c) **10 cents** per acre in the following counties: Atascosa, Bandera, Bexar, Blanco, Bosque, Brown, Burnet, Cameron, Coleman, Concho, Coryell, Edwards, Gillespie, Hamilton, Hidalgo, Hood, Jim Wells, Kendall, Kenedy, Kerr, Kimble, Lampasas, Live Oak, Llano, Mason, McCulloch, Medina, Menard, Mills, Montague, Parker, Real, Runnels, San Saba, Schleicher, Somervell, Sutton, Tom Green, Willacy, Wilson, and Wise;

(d) **11 cents** per acre in the following counties and in all counties lying east of the counties named: Cooke, Denton, Tarrant, Johnson, Hill, McLennan, Bell, Williamson, Travis, Hays, Comal, Guadalupe, Gonzales, Karnes, Bee, San Patricio, Neuces, and Kleberg.

(5) For nongeneral allotment farms, the county rate per acre, adjusted for productivity, for each acre in the total allotment in excess of the sum of

(i) the acreages which are used in computing payments for special crops, and

(ii) the acreage of sugar beets for sugar planted for harvest in 1941; and

(6) **\$15.00** or the amount earned by planting forest trees in accordance with practice 25, whichever is the smaller.

If for any farm the sum of the maximum payments computed with respect to acreage allotments and under items (1) to (5), inclusive, of this subsection is less than \$20.00, the amount determined under items (1) to (5), inclusive, shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, with the approval of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance to the extent indicated when they are carried out during the 1941 program year in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a

seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part, the part representing one-half or more, with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Soil-building practices carried out with equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

Erosion Control

1. Construction of standard terraces for which proper outlets are provided—75 cents per 100 feet.—Terraces to be approved for payment: (a) Must not exceed a fall of 4 inches per 100 feet along the terrace line (level terraces preferred where adaptable, particularly on land having very little slope in low rainfall areas).

(b) Must have fills in terrace line across gullies built up to normal level for the terrace ridge.

(c) Must equal or exceed the height and width specifications and must not be spaced farther apart than the maximum widths indicated in the following table.

(d) The outlet ends of all terrace channels shall be protected by means of sodded channels, rock riprap, or other effective devices to prevent erosion of the terrace channel. Any terraces which are not properly protected will not be accepted under this practice.

Slope of land in feet per 100 feet ¹	Minimum height—top of terrace above upper channel		Minimum width from low point in terrace channel to center top of terrace ²		Recommended average distance between terraces ³
	New terrace before ledges are plowed in	Plowed-in settled terrace	New terrace before ledges are plowed in	Plowed-in settled terrace	
	<i>Inches</i>	<i>Inches</i>	<i>Feet</i>	<i>Feet</i>	<i>Feet</i>
½ or less -----	15	10	11	9	210
1 -----	16	11	11	9	150
2 -----	18	12	10	8	100
3 -----	18	12	10	8	83
4 -----	19	12½	10	8	75
5 -----	19	12½	9	7	70
6 -----	20	13	9	7	67
7 -----	20	13	9	7	64
8 or more -----	21	14	8	6	62

¹ Over ½ foot in vertical fall will be considered as 1 foot. Maximum slope on which terraces will be approved will be determined by the State committee.

² On slopes in excess of 3 percent, the minimum width specification may be disregarded, provided the area of the cross section of the terrace equals or exceeds that of a terrace constructed in accordance with minimum width specifications. The width of the lower side of terrace shall, in all cases, be at least ¾ the width of the upper side of terrace, as indicated.

³ This recommended average distance, which is the horizontal spacing between terraces, must not be exceeded by more than 30 percent.

2. Contour ridging of noncrop open pasture land—7½ cents per 100 feet.—Ridges or narrow terraces must be at least 3 feet wide from the low point in upper or lower channel to the top of the ridge, at least 15 inches high above the low point in the upper channel, and spaced not more than one-third of the maximum terrace interval, as provided under practice 1. Ridges may be pushed from either the upper or the lower side or from both sides. Ridges must not empty directly into gullies but should be blocked at the ends or turned up-hill before crossing gullies. Guide lines shall be established for each ridge.

3. Construction of reservoirs and dams—15 cents per cubic yard of material moved, not to exceed 2,000 cubic yards for each development, and 10 cents per cubic yard for material moved in excess of 2,000 cubic yards for each development.—Before a reservoir or dam is constructed under this practice, it must be determined by the county committee that such reservoir or dam will be an efficient means of preventing erosion.

The site for the reservoir or dam shall be inspected and if the dam is to be constructed will be 8 feet or more in height or will consist of approximately 300 cubic yards or more of earth, or in all cases where the surface of the ground on which the dam is to be built is extremely irregular, a preliminary survey shall be made before construction is started. At least one bench mark shall be established far enough from the dam so that it will not be disturbed during construction. All measurements and elevation readings shall be made from this reference point. Along the lengthwise contour line of the dam a minimum of three stakes shall be set, one at either end of the proposed dam and one at the lowest point of the stream bed. Additional stakes shall be set at all points where there is a break in the slope of the land. The location and elevation of each stake with reference to the established bench mark shall be properly measured and recorded. If the surface of the ground on which the dam is to be built is irregular, additional stakes should be set along the outline of the base at right angles to the lengthwise center line and spaced so that they will be in line with the main center-line stakes. The location and elevation of these stakes must likewise be recorded.

To reduce seepage, a trench at least 4 feet wide shall be dug along the center line of the dam deep enough to reach a reasonably impervious subsoil. This trench should be filled with the most impervious soil readily available at or near the dam site and should form the base of a core of this same material which should be carried to a height equal to the normal water level in the completed dam. Where it is thought desirable, the entire base of the dam should be scarified to insure better bonding of the fill with the base of the dam. Where dams are built across gullies with steep banks, these banks should be sloped to form a trench for better bonding with the fill.

To be eligible for approval, dams and spillways shall be adequate. No dam shall be approved unless the top is at least 3 feet wide and is at least 3 feet higher than the floor of the spillway. The downstream slope of the dam should not be less than 1:1 (i. e., 1 foot horizontal to 1 foot vertical) but need not be greater than 2:1 regardless of the size and height of the dam. On small dams, 7 feet high or less or on large dams where there will be considerable wave action, upstream slopes should be at least 3:1 but may be $1\frac{1}{2}:1$. The top width of the dam will be increased in accordance with the height of the dam, the size of the drainage area, the capacity of the spillway, and other local conditions. For dams 10 feet in height, the top must have a minimum width of 5 feet.

The cross sectional area of the spillway shall be at least twice the cross sectional area of the stream at its highest flood stage in the past. The top of the dam shall be not less than 3 feet above the floor of the spillway and this distance shall be increased sufficiently to insure water not running over the dam during floods. Unless the spillway is naturally protected from damaging erosion, such protection must be provided. The end of the dam shall be ripped if it forms a part of the spillway.

Earth used in the construction of the dam or excavated in the spillway (unless such excavated earth is used in the dam) shall be measured and its volume computed. To compensate for shrinkage and settling before being certified, the gross volume of earth used in the construction of the dam shall be reduced by 20 percent if dragline is used in construction, 15 percent if bulldozer is used in construction, and 10 percent if any other method of construction is followed.

Further helpful information regarding the construction of reservoirs and dams may be found in Texas Extension Circular No. MS-355.

4. Construction of ditches for the diversion of floodwater or well water on cropland, pasture land, or hay land—50 cents per 100 linear feet.—Ditches must have a depth of 1 foot and a width of 4 feet, or the equivalent cross section thereof. This practice is applicable in the following counties and all other counties lying west of these counties: Clay, Jack, Palo Pinto, Erath, Hamilton, Lampasas, Burnet, Blanco, Kendall, Bandera, Medina, Atascosa, Live Oak, Jim Wells, and Kleberg.

5. Contour listing, subsoiling (chiseling), or furrowing noncropland— $1\frac{1}{2}$ cents per 100 feet, but not to exceed 50 cents per acre.—The furrow channels must be not less than 8 inches wide and 4 inches deep and not less than 3 feet apart, or if subsoiled (chiseled) not less than 3 inches wide and 6 inches

deep. Guide lines for lister furrows must be set up at not to exceed one-half the terrace interval specified in practice 1.

6. Strip cropping on the contour—35 cents per acre.—(a) **On land subject to wind erosion**, the strips must consist of erosion-resisting crops alternating with strips of other types of erosion-resisting crops, or with erosion-permitting intertilled crops, or two of such alternating strips of crops alternating with one strip of fallow, strips to be not less than 10 feet nor more than 200 feet wide, and the strips of erosion-resisting crops to occupy at least 25 percent of the area of the field. For the purpose of this practice, on land subject to wind erosion, sorghums, Sudan grass, and millet in rows or solid-seeded, and other solid-seeded crops shall be classified as erosion-resisting crops and all row crops, except sorghum, Sudan grass, and millet, shall be classified as erosion-permitting crops.

(b) **On land not subject to wind erosion**, the strips must consist of solid-seeded crops alternating with row crops or with fallow, strips to be not less than 10 feet nor more than 200 feet wide, and the strips of solid-seeded crops to occupy at least 25 percent of the area of the field.

7. Protecting summer-fallowed acreage from wind and water erosion—35 cents per acre.—This applies to acreage from which no crop is harvested in 1941. Such acreage must be kept sufficiently free of vegetative cover so that available moisture is conserved, by either of the following methods:

(a) Contour listing or pit cultivation to be done in the spring of 1941 not later than June 15, 1941, in accordance with the specifications of practice 9 or 11. This practice will apply in Andrews, Armstrong, Bailey, Briscoe, Carson, Castro, Cochran, Crosby, Dawson, Donley, Ector, Floyd, Gaines, Gray, Hale, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Midland, Ochiltree, Parmer, Potter, Randall, Roberts, Swisher, Terry, Wheeler, Winkler, and Yoakum counties.

(b) Contour listing or pit cultivation, or otherwise incorporating the stubble and other trash into the soil, not later than June 1, 1941 (where such practice is approved by the county committee as a good practice for the farm), in the following counties and in all counties lying west of the counties named, except those included in (a) above: Clay, Jack, Palo Pinto, Erath, Hamilton, Lampasas, Burnett, Blanco, Kendall, Bandera, Medina, Atascosa, Live Oak, Jim Wells, and Kleberg.

Where fallow strips alternate with rows or strips of crops, the actual acreage of land in the fallow strips shall qualify in accordance with this practice 7, provided such fallow strips between rows or strips of crops are not less than 10 feet and not more than 200 feet wide, and that the fallow strips shall not occupy more than two-thirds of the total area of the land occupied by such rows or strips of crops and fallow, the fallow strips being measured from a point $1\frac{1}{2}$ feet from the erosion-resisting crop. Fallow strips for which credit is given under this practice cannot qualify under practice 6.

8. Contour farming intertilled crops—20 cents per acre.—This practice consists of the planting and cultivation of row crops following the contour as determined by a farm level or surveyor's instrument, or following established terraces. If the land is not terraced, the rows must follow guide lines established at not to exceed twice the terrace interval specified in practice 1.

9. Contour listing—20 cents per acre.—The furrows shall be made with a regular double moldboard lister or with a chisel of approved design, or other implement accomplishing the same results, as soon as possible after harvest, according to the specifications given herein:

(a) The furrows shall not be more than 4 feet nor less than 20 inches apart and shall, if listed, not be less than 8 inches wide and 4 inches deep, or if chiseled, not be less than 4 inches wide and 8 inches deep.

(b) The furrowing shall be done with the contour of the land, following guide lines established at not to exceed twice the terrace interval specified in practice 1, or following established terraces.

(c) The contours shall be maintained until final preparation of the land for a crop.

On slopes averaging greater than $3\frac{1}{2}$ feet to each 100 feet the contour listing must be in combination with terracing. These specifications shall apply where contour listing is used in protecting summer fallow, except that such contour listing shall not qualify under this practice 9. Contour listing within 30 days prior to seeding shall not qualify as a soil-building practice.

10. Seeding of close-grown sweet sorghums, millets, soybeans, peas, and small-grain crops on the contour—15 cents per acre.—The crop must be solid-

seeded with a grain drill. Seeding must follow guide lines established with a standard farm level or surveyor's instrument at not to exceed twice the terrace interval specified in practice 1, or following established terraces.

11. Pit cultivation—15 cents per acre.—This must be done with an approved basin lister which will dam the lister furrows at regular intervals or with another implement accomplishing similar results. The furrows are not to be more than 4 feet nor less than 20 inches apart and not less than 4 inches deep and the pits or basins must occupy at least 25 percent of the land. On slopes greater than 2 percent, this practice will not qualify unless done on the contour following guide lines established at not to exceed twice the terrace interval specified in practice 1, or must follow established terraces. These same specifications shall apply where pit cultivation is used in protecting summer fallow, except that such practice shall not qualify under this practice 11. Pit cultivation on the contour will qualify under practice 9 if meeting other specifications of that practice. Pit cultivation as a part of a seeding operation shall not qualify as a soil-building practice.

Seedings

Phosphate must be applied in recommended amounts and in accordance with approved methods in connection with grasses and legumes seeded in fields where it is known that the availability of this material is not sufficient to assure a successful growth of the crop being seeded. Self-seeded or volunteer crops will not be considered to have been seeded under practices 12 through 17, and, therefore, will not qualify for payment under these practices.

12. Seeding adapted varieties of alfalfa on a properly prepared seedbed—\$1.50 per acre.

13. Seeding permanent pasture grasses—\$3.00 per acre.—**Bermuda**—East Texas, Coast Prairie, Blackland, West Cross Timbers, and Grand Prairie, on highly fertile soil. **Rhodes**—Rio Grande Plains and eastward to the Colorado River, on tillable land. **Carpet**—East Texas on low, moist pine-timber land and the Coast Prairie. **Bluestem**—East Texas, Coast Prairie, Blackland, Grand Prairie, Central Basin, West Cross Timbers, Rio Grande Plains, on sandy to sandy loam soils. **Blue Grama**—High Plains, Rolling Plains, Mountains, and Basins on clay loam to sand loam soils. **Buffalo**—High Plains, Rolling Plains, Edwards Plateau, Grand Prairie, Blackland, West Cross Timbers, Rio Grande Plains on clay loam to loamy soils. **Dallis** and **Bermuda** or **Carpet**—East Texas and Coast Prairie on fertile clay loam to fine sandy soils. **Native Mixtures**—Mixtures of native perennial grasses such as buffalo, blue grama, side-oats grama, sand dropseed, and others that may be found growing naturally under conditions comparable to those where planting is to be done.

Preparation and culture: Seed must be planted on well-prepared seedbed, and weeds controlled to conserve moisture and prevent reseeding. If the land is plowed, it must be allowed to pack several months in advance of sowing. The land must be firm with sufficient moisture for germination and growth of grass seedlings. Gullying must be prevented or controlled by terracing or contour furrowing. Low wet land must be drained.

On recommendation by the county committee, land subject to wind erosion must be protected by the crop residue of Sudan grass or other sorghum grown the preceding year and preferably mowed before seed maturity, and grass seed should be drilled on the old crop residue without otherwise disturbing it.

Seeding must be done in the spring at early corn-planting time at the rate of not less than 6 pounds per acre (15 pounds per acre for bluestem and native mixtures), and after seeding the land should be press-drilled or rolled. Severe infestation of weeds must be mowed to prevent seeding. Land seriously depleted of fertility, as evidenced by previous low productivity, must be improved by the addition of manure, phosphate, or green manure crops. No payment will be made under this practice when carried out on depleted soil or on land on which a permanent vegetative cover is being established in 1941 under practice 14 or 21 or has been established under previous agricultural programs.

14. Seeding any of the following crops on a suitable, well-prepared seedbed at not less than the specified rate—75 cents per acre.—Biennial sweetclover, 20 pounds; white Dutch clover, 3 pounds; black medic, 10 pounds; common rye-grass, 20 pounds. Mixtures of these legumes—the seeding rate of each legume in the mixture shall be that amount which is obtained by dividing the seeding rate for each legume when seeded alone by the total number of legumes in

the mixture. The maximum payment that may be earned on an acre of land under this practice is 75 cents.

15. **Seeding winter legumes**—\$1.50 per acre.—The seed must be properly inoculated, and must be planted not later than the end of the program year on a suitable, well-adapted seedbed. Seedings must not be less than the following rates:

Vetch—15 pounds per acre

Austrian winter peas—20 pounds per acre

Bur-clover—12 pounds per acre of clean seed, or the equivalent in burs.

16. **Seeding annual lespedeza**—\$1.00 per acre.—The lespedeza must be seeded on a suitable, well-prepared seedbed at not less than 20 pounds per acre, and must be planted not later than May 15, 1941. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

Soil Improvement

17. **Application of the following materials to, or with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, common ryegrass, or permanent pasture, if such crops are not seeded or grown with soil-depleting crops:**

(a) 100 pounds of 48 percent triple superphosphate—\$1.50.

(b) 240 pounds of 20 percent superphosphate—\$1.50.

(c) 300 pounds of 16 percent superphosphate—\$1.50.

The material must be applied evenly over the area on which application is made. The crops to which the material is applied must not be seeded or grown with a soil-depleting crop. Winter legumes sown in row-crop middles are not considered as seeded or grown with a soil-depleting crop. In the case of lespedeza seeded alone, winter legumes, common ryegrass, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after July 15.

18. (a) **Green manure and cover crops of nonlegumes**—75 cents per acre.

(b) **Green manure and cover crops of legumes**—\$1.50 per acre.

A good stand and a good growth of the green manure crops must be plowed or disked under if on land that would not be made more subject to erosion by reason of the fact that the crops are plowed under. A good growth means a growth which would justify harvest of a feed crop. If on land that would be made more subject to erosion by plowing crops under, these crops must be left on the land or, if plowed under, must be followed by a winter cover crop.

Green manure crops shall not include lespedeza, wheat, grain sorghums, peanuts, any crop (except winter legumes) for which credit is given for seeding in 1941 under any other practice, or soybeans from which the seed is harvested by mechanical means.

Native vegetation will not qualify under this practice.

Some of the crops that may qualify under (a) are: Sweet sorghums, Sudan grass, millets, and small grains (except wheat).

Some of the crops that may qualify under (b) are: Austrian winter peas, vetch, cowpeas, soybeans (except where the seed is harvested by mechanical means), velvetbeans, and clovers.

19. **Summer legumes, excluding those classified as soil depleting and peanuts hogged off, interplanted or grown in combination with soil-depleting crops**—30 cents per acre.—A good stand and a good growth must be obtained and the vines not harvested and in the case of soybeans the seed not removed by mechanical means. A good growth means a growth which would justify harvest of a feed crop. The legumes must occupy not less than $\frac{1}{3}$ of the land.

Pasture Improvement

20. **Natural reseeding (restoration) of noncrop open pasture land by non-grazing (deferred grazing)**—15 cents per acre.—The deferred area must be kept free of livestock during the normal pasture season and must be mowed at least once during the nongrazing period, if recommended by the county committee. Infestations of pricklypear must be eradicated in accordance with the provisions of practice 24 (a) (in which case payment will also be made under practice 24 (a)). The beginning of the 1941 nongrazing period is to be set on a date between March 1, 1941, and June 1, 1941, by the county committee with the approval of the State committee. The duration of the nongrazing period shall not be less than 150 consecutive days.

21. Sodding perennial grasses—\$3.00 per acre.—Bermuda, Buffalo, Angleton, Bahia, Centipede, St. Augustine, Para, Elephant, Black Grama, Guinea, Grama, Burro, or Wire grasses.

These grasses may be transplanted locally from where they may be found growing naturally to other locations of similar conditions or they may be introduced into the following areas under the following conditions:

Buffalo and Bermuda for the areas given under practice 13. Angleton, Elephant, Bahia for fertile soils west of the Trinity River and south of an east and west line through Austin, within 25 inches annual rainfall. Centipede in East Texas on medium sands to fine sandy loams. St. Augustine within the humid region of the State or where additional moisture may be supplied. Para grass on moist soil of high fertility of the Coast Prairie east of the Guadalupe River or on irrigated land along the coast. Black Grama on the Southern High Plains and Trans-Pecos regions. Guinea grass in counties bordering the Coast on fertile moist soil. Burro grass in the western Edwards Plateau and Trans-Pecos regions. Wire grass (Vine mesquite) on moist fertile soil throughout Texas.

Severe infestations of weeds must be controlled by mowing or by cultivation after sodding. Sodding must be done only where there is sufficient moisture for continuous growth. One sod piece of 4 inches in diameter per 28 square feet (or the equivalent in sprigs) is required. At least 75 percent of the grass sodded must be growing at the time performance is checked.

22. Renovating permanent pastures consisting of perennial grasses or legumes or mixtures of these by mowing—25 cents per acre per mowing, not to exceed 50 cents per acre. Pastures must be mowed as often as necessary to control weeds and shrubs and the plants mowed must not be used for hay or sold for any purpose. Payment will not be made for mowing a greater number of times than the county committee finds is necessary for the control of noxious plants. Bushes and shrubs too heavy to mow must be removed.

23. Development of springs or seeps by excavation—30 cents per cubic foot of soil or gravel and 50 cents per cubic foot of rock. The spring or seep to be developed must be determined by the county committee to be an efficient means of preventing erosion and the destruction of grass by providing a better distribution of stock water on the farm.

Water storage of at least 20 cubic feet must be provided. The water source shall be protected from trampling. Payment will not be made for less than 67 cubic feet of soil or gravel or 40 cubic feet of rock formation excavated. Payment will not be made for more than 334 cubic feet of soil or gravel or 200 cubic feet of rock excavated.

24. Control of destructive plants on noncrop pasture land: Provided, That if the county committee determines that the control of destructive plants under this practice will reduce the vegetative cover to such an extent as to encourage increased soil erosion, artificial reseeding shall also be required where soil and climatic conditions permit. Approval of the county committee must be secured prior to the institution of this practice if payment is made.

(a) **Eradicating pricklypear and cactus:**

- (1) Light infestation—2 to 6 percent, inclusive—50 cents per acre.
- (2) Medium infestation—7 to 12 percent, inclusive—75 cents per acre.
- (3) Heavy infestation—above 12 percent—\$1.00 per acre.

(b) **Eliminating mesquite:**

- (1) Light infestation—5 to 20 percent, inclusive—50 cents per acre.
- (2) Medium infestation—21 to 40 percent, inclusive—\$1.00 per acre.
- (3) Heavy infestation—above 40 percent—\$2.00 per acre.

(c) **Eliminating cedar:**

- (1) Light infestation—5 to 15 percent, inclusive—75 cents per acre.
- (2) Medium infestation—16 to 30 percent, inclusive—\$1.00 per acre.
- (3) Heavy infestation—above 30 percent—\$1.50 per acre.

(d) **Eliminating sagebrush:**

- (1) Heavy infestation—10 percent and above—50 cents per acre.

Payment will be based on the percentage of ground infested. Where infestation is less than the minimum percent shown under each of the above practices, coverage will be calculated by counting two or more acres as one, according to the relative facts found by the county committee.

NOTE: The degree of infestation of destructive plants as outlined in this practice 24 (a), (b), (c), and (d) will be determined by judging the density of the growths

and grading them in accordance with the percentage of the ground covered by the total spread of trees or plants, as estimated by the county committee. In order to make an accurate estimate as to the percentage of coverage of such plants, the county committee or its representative should step off a representative tenth or twentieth of an acre of infested area and measure the ground covered by all the trees and plants under consideration that are on the area. From this it can be determined the percentage of coverage on such plot or plots, then use this percentage as a basis for arriving at the percentage of the entire infested area.

Forestry

25. Planting forest trees (including shrubs in protective plantings)—

(a) Pines—\$4.50 per acre.

(b) Hardwoods and other species listed below except pines—\$6.00 per acre.

(1) The planting of forest trees is recommended on old fields and on other areas on which there are insufficient seed trees present to reseed naturally the area to desirable species of forest trees; (2) when planting in plowed furrows the plowing should be done along contours. Preparation of site otherwise unnecessary, except where there is a heavy covering of brush which would seriously compete with, or render unsuccessful, any attempt to establish a stand of forest trees. In such cases the brush should be grubbed from the entire area qualifying for payment; (3) spacing of planted trees. In the **Pine-Hardwood** and **Post Oak-Hardwood** regions; a semiregular 6 x 8 foot spacing, or approximately 1,000 trees per acre, for pines, and an 8 x 8 foot spacing, or approximately 700 trees per acre, for hardwoods, are required with a survival at the time performance is checked of 65 percent. In the **Western Texas Region**: 350 living trees per acre for windbreaks or woodlots at compliance time will be required. To be certain of obtaining this stand, it is advisable to plant approximately 450 trees per acre, a spacing of not less than 10 x 10 feet; (4) species recommended for planting:

(a) In the **Pine-Hardwood Region** (Red River, Franklin, Wood, Smith, Henderson, Anderson, Houston, Walker, Grimes, Montgomery, Harris, and Chambers counties, and all counties lying east of these counties): Short-leaf, loblolly, longleaf, and slash pines, black locust, Osage-orange, white and red oak, mulberry, shagbark or white hickory, white ash, black walnut, magnolia, sweetgum, and catalpa.

(b) In the **Post Oak-Hardwood Region** (Montague, Wise, Parker, Hood, Somervell, Bosque, Coryell, Bell, Williamson, Travis, Hays, Comal, Bexar, Wilson, Karnes, Bee, San Patricio, Nueces, and Kleberg counties, and all counties lying east of these counties, except those included in the **Pine-Hardwood Region**): Post oak, honeylocust, cottonwood, black walnut, Osage-orange, catalpa, Arizona cypress, one-seeded juniper, American elm, Chinese elm, sycamore, tamarix, and, in some favorable locations, loblolly pine.

(c) In the **Western Texas Region** (all counties west of those counties included in the **Post Oak-Hardwood Region**): American elm, black locust, black and western walnut, bur oak, catalpa, juniper, Chinese elm, coffee tree, colutea, cottonwood, desert willow, green ash, hackberry, honeylocust, jujube, lilac, mulberry, Osage-orange, persimmon, western yellow and Scotch pines, Russian olive, tamarix, vitex, wild plum, and (in the southern counties of the Region) eucalyptus, Australian pine and Brazil.

Maintaining a good stand by replanting will not qualify under this practice but may qualify under practice 26.

Trees purchased from a State nursery may qualify under this practice. No credit for reaching the goal shall be given for the planting and protection of forest trees planted under a cooperative agreement entered into in connection with the **Prairie States Forestry Project**.

26. **Cultivating, protecting, and maintaining a good stand of forest trees planted between July 1, 1937, and January 1, 1941 (or before July 1, 1941, if under a cooperative agreement with a government agency)—\$1.50 per acre.**

In areas where cultivation is necessary, it should consist of sufficient number of cultivations during the open season to assure satisfactory growth. Each cultivation shall be in accordance with approved tillage methods as applied for row crops. Burning and harmful grazing must have been prevented. Maintaining, by replanting if necessary, an adequate stand of forest trees with a minimum survival of 450 well-distributed trees per acre when planted as

woodlots. For windbreak plantings, a minimum survival of 350 well-distributed trees per acre shall be considered adequate.

27. Improving farm woodlands—75 cents per acre.—(a) The county committee must approve the area on the farm on which this practice is to be carried out prior to the institution of the practice.

(b) The county committee shall not approve such practice unless the area on which it is to be carried out is unprotected from fire and has dead, diseased, insect-infested, crooked, and limby trees or undesirable species which need removing, and when removed will leave in excess of 100 potential timber trees of desirable species at least 6 inches in diameter per acre or 200 trees at least 3 inches in diameter per acre well distributed over the area.

(c) All dead, diseased, insect-infested, crooked, limby, and undesirable species which will not produce forest products, and which are interfering with the growth of desirable trees, shall be removed. To qualify under this practice, the woodland area protected must be unburned during the year.

Miscellaneous

28. Growing a home garden—\$1.50.—Credit will be given for a home garden grown on the farm for each landlord, tenant, or sharecropper family on the farm.

A home garden shall consist of vegetables grown for home use, either for consumption fresh during the growing season, or for canning, drying, or storing.

Garden vegetables, with the exception of watermelons and sweetpotatoes for home use, shall not be in more than two plots. Watermelons and sweetpotatoes may be planted whenever advisable. The acreage in the home garden must not be used for any soil-depleting purpose during the year. Each home garden, including sweetpotatoes and watermelons, must contain not less than $\frac{1}{2}$ acre.

The garden planting shall consist of at least 10 different kinds of vegetables. Each kind of vegetable shall be planted in sufficient quantity to supply the farm family with a well-balanced vegetable diet. The garden must be planted on a well-prepared seedbed and cultivated in accordance with good garden culture.

Section 9. SOIL-DEPLETING ACREAGE

(a) **Soil-depleting acreage** means the acreage of land devoted during the 1941 crop year² to one or more of the following crops or uses. Land from which a volunteer crop is harvested shall be classified as if the crop were planted.

(1) Corn, including sweet corn and popcorn, planted for any purpose, except roasting ear corn or popcorn grown in home gardens for use on the farm.

(2) Grain sorghums planted for any purpose.

(3) Amber, orange, redtop, African millet, and seeded ribbon cane varieties of sweet sorghums when harvested for grain, seed, or sirup. All other varieties, when planted for any purpose.

(4) Land considered as planted to cotton in accordance with the definition of acreage planted to cotton on page 2. Other land on which all of the cotton produced is determined to staple $1\frac{1}{2}$ inches or more in length.

(5) Sugar beets planted for any purpose.

(6) Sugarcane grown for any purpose.

(7) Peanuts dug for any purpose, except when grown in home gardens for use on the farm.

(8) Rice planted for any purpose.

(9) Broomcorn planted for any purpose.

² See page 1. Commercial vegetables will be counted on a 12-month basis beginning November 1, 1940, in Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Starr, Willacy, and Zapata Counties, and January 1, 1941, in all other counties.

- (10) Mangels or cowbeets planted for any purpose.
- (11) Potatoes planted for any purpose, except when grown in home gardens for use on the farm.
- (12) Truck and vegetable crops planted for any purpose, except when grown in home gardens for use on the farm.
- (13) Field beans planted for any purpose, except when used as green manure or grown in home gardens for use on the farm.
- (14) English peas planted for canning, freezing, or dried peas, except when used as green manure or grown in home gardens for use on the farm.
- (15) Wheat planted (or regarded as planted) for any purpose on a wheat allotment farm.
- (16) Wheat (on a nonwheat allotment farm), oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for grain.
- (17) Wheat (on a nonwheat allotment farm) including designated mixtures containing wheat on **any farm**, harvested for hay, except (i) when used as a nurse crop for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut for hay not later than the bloom stage, or (ii) when wheat or a mixture containing wheat is seeded in a mixture containing 50 percent or more by weight of winter legume seed and harvested for hay.
- (18) Oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for hay, except (i) when such crops are used as nurse crops for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut for hay not later than the bloom stage, or (ii) when such crops are seeded in a mixture containing 25 percent by weight of winter legume seed and harvested for hay.
- (19) Buckwheat, Sudan grass, or millet, harvested for grain or seed.
- (20) Land summer-fallowed and not protected from wind and water erosion by contour listing, pit cultivation, strip cropping, border planting, or by other methods approved by the State committee.
- (21) Flax planted for any purpose, except when matched acre for acre by biennial sweetclover, perennial legumes, or perennial grasses, seeded alone in a workmanlike manner.
- (22) Commercial bulbs and flowers, castor-beans, strawberries, and cultivated sunflowers, harvested for any purpose.
- (b) If one soil-depleting crop or land use is followed by another soil-depleting crop or land use on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded.
- (c) If more than one soil-depleting crop or land use occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop or land use, except that:
 - (1) If cotton and another soil-depleting crop (other than commercial vegetables in commercial vegetable counties) are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), cotton shall be considered to occupy all of the land, provided that if cotton and peanuts are the crops, cotton shall be considered to occupy all of the land, and in addition, each row of peanuts for market shall be considered to occupy a strip of land 2 feet in width.
 - (2) If commercial vegetables and another crop for which a special acreage allotment is established are grown on the same acreage, all of the land shall be considered as planted to the crop other than commercial vegetables for which the special acreage allotment is established, and in addition, all of the land shall be considered as planted to commercial vegetables if the com-

mercial vegetables are planted in rows of less than twice the normal width for planting the crop alone. If the commercial vegetables are planted in rows at least twice the normal width for planting the crop alone, only half the land shall be considered as planted to commercial vegetables.

(d) Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and the acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

(e) If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil depleting, the entire acreage of land shall be classified as soil depleting, with the following exceptions:

(1) Where strips of soil-depleting crops, alternating with strips of crops or land uses not classified as soil depleting are 10 feet (3 rows not less than 40 inches wide) or more apart, the acreage occupied thereby is classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point one-half the width of the soil-depleting row but in no case less than 1½ feet from the outside of the strip of soil-depleting crop); provided that if peanuts (whether or not soil depleting) are grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are 7 feet or more apart (measured from the drill), the land shall be classified in accordance with the actual acreage occupied by each crop.

(2) Flax when followed by, planted with, or matched acre for acre by, biennial sweetclover, perennial legumes, or perennial grasses.

(f) All or any part of any acreage of any general soil-depleting crop which is destroyed before maturity by flood, drought, insects, or any other cause beyond the control of the operator, may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops if replaced by other acreage devoted to a soil-depleting crop.

Section 10. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm with respect to special and general crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) **Crop failure, etc.** If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) **Underplanting cotton.** If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment for the farm and the acreage of cotton which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and

all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(iii) **Separately owned tracts.** In cases where two or more separately owned tracts of land comprise a farm for which a wheat allotment is determined, but for which no cotton allotment is determined, and on which the acreage of soil-depleting crops will not represent an equitable basis for dividing the payments or deductions computed with respect to the farm, the share of each person in the net payment or net deduction computed with respect to special and general crops on such farm shall, upon the written agreement of all persons who are entitled to receive a share of the proceeds of such crop, as shown by their signatures on Form ACP-95, be that share which fairly reflects the contribution of each such person to performance with respect to such crop and also results substantially in a division of such payment or deduction among landlords, tenants, and sharecroppers as classes, as each such class shares in the crop, or proceed thereof, for which the payment or deduction is being made. Such share of each person shall be evidenced by the percentage shares shown on Form ACP-95.

(2) The deduction for failure to prevent wind and water erosion shall be regarded as a deduction for general crops.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Payments in connection with soil-building practices. The amount of net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying-out of soil-building practices on the farm in the 1941 program, such payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to the carrying-out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the carrying-out of such practice unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event the payment for such practice shall be divided in the proportion which the county committee determines such persons contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying-out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated

among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 11. INCREASE IN SMALL PAYMENTS

The total payment computed under the foregoing sections for any person with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99 -----	\$0. 40	\$32.00 to \$32.99 -----	\$10. 40
\$2.00 to \$2.99 -----	0. 80	\$33.00 to \$33.99 -----	10. 60
\$3.00 to \$3.99 -----	1. 20	\$34.00 to \$34.99 -----	10. 80
\$4.00 to \$4.99 -----	1. 60	\$35.00 to \$35.99 -----	11. 00
\$5.00 to \$5.99 -----	2. 00	\$36.00 to \$36.99 -----	11. 20
\$6.00 to \$6.99 -----	2. 40	\$37.00 to \$37.99 -----	11. 40
\$7.00 to \$7.99 -----	2. 80	\$38.00 to \$38.99 -----	11. 60
\$8.00 to \$8.99 -----	3. 20	\$39.00 to \$39.99 -----	11. 80
\$9.00 to \$9.99 -----	3. 60	\$40.00 to \$40.99 -----	12. 00
\$10.00 to \$10.99 -----	4. 00	\$41.00 to \$41.99 -----	12. 10
\$11.00 to \$11.99 -----	4. 40	\$42.00 to \$42.99 -----	12. 20
\$12.00 to \$12.99 -----	4. 80	\$43.00 to \$43.99 -----	12. 30
\$13.00 to \$13.99 -----	5. 20	\$44.00 to \$44.99 -----	12. 40
\$14.00 to \$14.99 -----	5. 60	\$45.00 to \$45.99 -----	12. 50
\$15.00 to \$15.99 -----	6. 00	\$46.00 to \$46.99 -----	12. 60
\$16.00 to \$16.99 -----	6. 40	\$47.00 to \$47.99 -----	12. 70
\$17.00 to \$17.99 -----	6. 80	\$48.00 to \$48.99 -----	12. 80
\$18.00 to \$18.99 -----	7. 20	\$49.00 to \$49.99 -----	12. 90
\$19.00 to \$19.99 -----	7. 60	\$50.00 to \$50.99 -----	13. 00
\$20.00 to \$20.99 -----	8. 00	\$51.00 to \$51.99 -----	13. 10
\$21.00 to \$21.99 -----	8. 20	\$52.00 to \$52.99 -----	13. 20
\$22.00 to \$22.99 -----	8. 40	\$53.00 to \$53.99 -----	13. 30
\$23.00 to \$23.99 -----	8. 60	\$54.00 to \$54.99 -----	13. 40
\$24.00 to \$24.99 -----	8. 80	\$55.00 to \$55.99 -----	13. 50
\$25.00 to \$25.99 -----	9. 00	\$56.00 to \$56.99 -----	13. 60
\$26.00 to \$26.99 -----	9. 20	\$57.00 to \$57.99 -----	13. 70
\$27.00 to \$27.99 -----	9. 40	\$58.00 to \$58.99 -----	13. 80
\$28.00 to \$28.99 -----	9. 60	\$59.00 to \$59.99 -----	13. 90
\$29.00 to \$29.99 -----	9. 80	\$60.00 to \$185.99 -----	14. 00
\$30.00 to \$30.99 -----	10. 00	\$186.00 to \$199.99 -----	(1)
\$31.00 to \$31.99 -----	10. 20	\$200.00 and over -----	(2)

¹ Increase to \$200.00.

² No increase.

Section 12. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms and ranching units located in Texas shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate

with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 13. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county. The net deduction computed for any landlord, tenants, or sharecropper under sections 1 through 8 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 14. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted from the payments for any farm the pro rata share as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 15. CONSERVATION MATERIALS

Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payments due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided

that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 16. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) **Practice:** A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) **Practice:** A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or anything or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) **Practice:** A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) **Practice:** A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of

money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded: The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) **Practice:** A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded: All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) **Practice:** A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded: Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) **Practice:** A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded: The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) **Practice:** A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded: The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) **Practice:** A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded: The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) **Practice:** A tenant, in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any

government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded: The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) **Practice:** A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) **Practice:** A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded: The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payment will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

D. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection F of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

E. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940

is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the 3 years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

F. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection F shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

G. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority

or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if—

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that—

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

H. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of sections 1 through 6, in any case where, through error in a county or State office, the pro-

ducer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

I. Use of soil-conserving crops for market. In Austin, Erath, Jones, Lavaca, and Taylor counties, payment will not be made with respect to any farm unless on such farm in 1941 an acreage of cropland equal to the smaller of the following is withheld from the production of soil-depleting crops and from the production of soil-conserving crops for market:

(1) The amount by which the normal acreage of soil-depleting crops on the farm exceeds the total soil-depleting acreage allotment for such farm, or

(2) The amount by which the normal acreage of soil-depleting crops on the farm exceeds the acreage devoted to soil-depleting crops on such farm in 1941;

provided that payments shall not be denied any farmer for using soil-conserving crops for market, if, on the farm in question—

(a) The increase above normal in the number of dairy cows does not exceed two cows, or

(b) The number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of cows, or

(c) None of the soil-conserving crops to which such provisions are applicable is used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than ten percent of the milk, or products thereof, produced on the farm.

Section 17. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 10, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which work sheets are on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county

office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 18. APPEALS

Any Person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination regarding any matter affecting the right to or the amount of his payment respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 19. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program (referred to herein as the 1941 program)—

(1) **Farm** means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of

crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other lands included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) **Person** means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) **Landlord** or **owner** means a person who owns land and rents such land to another person or operates such land.

(4) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof, and in the case of rice also means a person furnishing water for a share of the rice.

(6) **Cropland** means farm land which in 1940 was tilled or was in regular rotation, excluding any land which constitutes, or will constitute if such tillage is continued, a wind-erosion hazard to the community.

(7) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits on the farm at the beginning of the program year (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) **Noncrop open pasture land** means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(9) **Special crop allotments, special allotments, or special crops** means cotton, wheat, commercial vegetable, peanut, and rice acreage allotments or crops.

(10) **Animal unit** means one cow, one horse, five sheep, five goats, two calves, or two colts, or the equivalent thereof.

Section 20. AVAILABILITY OF FUNDS

The provisions of the 1941 program are necessarily subject to such legislation as Congress may enact. Payments will be made only from appropriations made by Congress for this purpose, and the amounts of such payments will necessarily be within the limits finally determined by such appropriation, the apportionment of such appropriation under the provisions of the Soil Conservation and Domestic

Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

This printed publication contains the provisions of the handbook approved by the Administrator on December 2, 1940, and of Supplement 1 thereto approved by the Administrator on January 22, 1941.

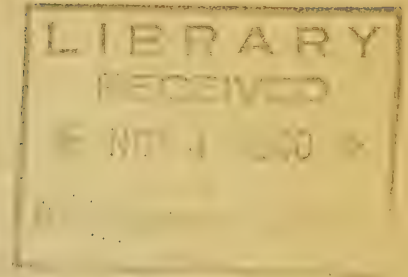
I. W. DUGGAN,
Director, Southern Division.



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October 1940

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION



TEXAS HANDBOOK
1941 AGRICULTURAL CONSERVATION PROGRAM

Name _____ Farm
serial _____
number _____

FOREWORD

The 1941 Agricultural Conservation Program in Texas is a continuation of the conservation program which has been in effect for the last five years, with some new provisions to make the program more effective.

As in the past programs, the objectives of the 1941 program are:

- (1) To help farmers get and maintain a fair share of the national income.
- (2) To protect the interests of consumers by providing for ample supplies of food, feed, fiber, and other agricultural products at prices that are fair to both consumers and producers.
- (3) To guarantee, as nearly as possible, continued ample supplies of agricultural products by conserving and rebuilding national soil resources through the adjustment of soil-depleting crop acreages and widespread use of soil-building practices.
- (4) To improve the living conditions of farm people by increasing the production of food and feed crops for home use.

To approach these objectives, national, State, county, and farm allotments for major soil-depleting cash crops are determined and payments are made for planting within these farm allotments. Assistance is also provided for carrying out soil-building practices which could not otherwise be carried out. The purpose of these allotments is to help farmers to maintain the nation's supply of farm products more nearly in line with demand and to more nearly stabilize income at the parity level than would be the case if there were no orderly and balanced system of production and marketing of these products.

TEXAS HANDBOOK

1941 AGRICULTURAL CONSERVATION PROGRAM

Pursuant to the provisions of the 1941 Agricultural Conservation Program Bulletin, issued by the Secretary of Agriculture, and the authority vested thereby in the Agricultural Adjustment Administration, payments will be made for participation in Texas in the 1941 program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions in this handbook (except sections 11B and 12A) are applicable only to farms in Texas, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States, and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership, including, but not limited to, lands owned by the United States and administered by the Forest Service, Soil Conservation Service, Bureau of Agricultural Economics, Division of Grazing, or Bureau of Biological Survey. Therefore, no payment may be made to any producer under the 1941 program with respect to such lands.

The provisions of this handbook are also not applicable to farms in Dallam, Deaf Smith, Hansford, Hartley, Moore, Oldham, Sherman, and other counties for which special agricultural conservation programs are approved for 1941 by the Secretary.

The 1941 program is effective for the period beginning December 1, 1940 and ending November 30, 1941, in all counties except Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Starr, Willacy, and Zapata. In the counties listed the program is effective for the period beginning November 1, 1940 and ending October 31, 1941.

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Section 1. COTTON

A. Farm allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage--uniform for the county or administrative area--of the farm's cropland, excluding the acreage normally devoted to the commercial production of wheat and rice, with certain exceptions and special provisions, as follows:

(1) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(2) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(3) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(4) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past three years.

(5) A small reserve may be available from any "frozen" cotton allotments released by operators to be used to increase allotments that are inadequate and not representative.

(6) A small acreage reserve is available for "new" cotton farms; that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton in 1941 on any "new" farm is less than the 1941 cotton allotment, the allotment will be reduced to the acreage planted to cotton.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal cotton yield for each farm having a cotton allotment.

(1) The normal yield shall be the actual average yield of cotton per acre for the 5 years 1936-1940, adjusted for abnormal weather conditions, if reliable records of the actual average of such yields are presented by the producer or are available to the committee.

(2) If for any year of the 5-year period records of the actual average yield are not available or there was no actual yield because cotton was not produced on the farm in such year, the normal yield for the farm shall be the yield which the county committee determines to be the average yield which was or could reasonably have been expected on the farm for the 5-year period on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(3) The yields determined under paragraph (2) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Payments. The payment is _____ cents for each pound of the normal yield for each acre in the cotton allotment, except that no payment on cotton will be made on "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938. If the acreage planted to cotton is in excess of the allotment, there shall be a deduction at the rate of _____ cents for each pound of the normal yield of the excess acreage. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

D. Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(1) Any acreage in excess of the allotment disposed of before reaching the stage of growth at which bolls are first formed;

(2) any acreage in excess of the allotment disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(3) any acreage from which all of the cotton produced is determined to staple 1-1/2 inches or more in length. Cotton produced from strains of Sea Island or American-Egyptian seed, certified as pure strains by a State or Federal agency, will be considered to staple 1-1/2 inches in length, provided all such cotton is ginned on a roller gin.

Section 2. WHEAT

A. Farm allotments. (1) The county committee, with the assistance of other local committees, shall determine allotments for farms on which wheat was planted for harvest in one or more

of the years 1938, 1939, and 1940, on the basis of tillable acreage and crop-rotation practices, as reflected in the usual acreage of wheat on the farm, or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography.

(2) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat was not planted for harvest in any of the years 1938, 1939, or 1940, but on which wheat is planted for harvest in 1941. This apportionment shall be made on the basis of tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage planted to wheat for harvest in 1941 on any such farm is less than the 1941 wheat allotment, the allotment will be reduced to the acreage planted to wheat.

(3) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

B. Non-wheat allotment farm means (1) a farm for which a wheat allotment of 5 acres or less is determined and the operator has not made a written request for the farm to be considered as an allotment farm, and (2) a farm for which a wheat allotment of more than 5 acres is determined and the county committee approves a written request of the farm operator to have such farm considered as a non-allotment wheat farm. The written request for the non-allotment option must be received in the county office not later than November 1, 1940, in Childress, Hall, Motley, Floyd, Hale, Lamb, and Bailey counties, and all counties lying north of these counties, and December 31, 1940, in all other counties, except that if the wheat allotment notice is not transmitted to the operator prior to 15 days before the closing date the request may be made within 15 days after the date shown on the notice of the 1941 wheat allotment.

C. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal wheat yield for each farm for which a wheat allotment is determined or a deduction is computed as follows:

(1) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930 to 1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and abnormal weather conditions.

(2) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(3) The yields determined under paragraph (2) of this subsection C shall be adjusted so that the average of the normal yields for all farms in the county shall not exceed the approved county normal yield.

D. Payments. For a wheat-allotment farm, the payment is _____ cents for each bushel of the normal yield for each acre in the wheat allotment. There shall be a deduction at the rate of _____ cents for each bushel of the normal yield of the acreage planted to wheat in excess of the allotment.

For a non-wheat allotment farm, a deduction shall be computed on the above basis for each acre of wheat harvested for any purpose after reaching maturity in excess of the larger of the allotment or 10 acres.

E. Acreage planted to wheat (on a wheat allotment farm) means (1) any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat); (2) any acreage seeded to a mixture and the wheat matures, but the other crop(s) fail to mature; and (3) any acreage of volunteer wheat which is harvested or remains on the land after May 1, 1941.

Section 3. RICE

A. Farm allotments. The county committee, with the assistance of other local committees and the approval of the State committee, shall determine rice allotments in accordance with the following:

(1) An allotment shall be determined for each farm tilled by a producer who participated in the production of rice in one or more of the 5 years 1936-1940 and who will participate in the production of rice in 1941. The allotment shall be determined on the basis of his past production of rice during the five years 1936-1940, adjusted to the acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility, the acreage diverted under previous agri-

cultural conservation programs, and other physical factors affecting the production of rice, including the labor and equipment available for the production of rice on the farm.

(2) A small reserve is available to be apportioned among farms tilled by producers who are participating in the production of rice in 1941 for the first time since January 1, 1936. The allotments shall be determined on the basis of the applicable standards set forth in the above paragraph, except that the rice allotment for any such farm shall not exceed 75 percent of the allotment that would have been made to the farm had such person(s) participated in the production of rice in one or more of the 5 years 1936-1940. If the 1941 acreage of rice on a farm tilled solely by producers who are participating in the production of rice for the first time in 1941 since January 1, 1936, is less than the 1941 rice allotment, the final allotment shall be reduced to the 1941 rice acreage.

(3) The sum of the rice allotments in a State shall not exceed the State allotment.

B. Farm normal yields. The State and county committees, with the assistance of other local committees, shall determine for each farm for which a rice allotment is determined or a deduction is computed a normal yield of rice in accordance with the following:

(1) If reliable records of the actual average yield of rice per acre for the 5 years 1936-1940 are presented by the farmer or are available to the committee, the normal yield of rice for the farm shall be the average of such yields.

(2) If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield on the farm in such year, the county committee shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which could reasonably have been expected on the farm for such year, and the yield so determined shall be used as the actual yield for such year under paragraph (1) of this subsection.

(3) If the average of the normal yields for all farms participating in the 1941 program in the State

exceeds the average yield per acre for the State during the 5 years 1936-1940, the normal yields for all such farms shall be reduced pro rata so that the average of such normal yields will not exceed the State average yield.

C. Payments. The payment is _____ cents for each barrel of the normal yield for each acre in the rice allotment. If the acreage planted to rice is in excess of the allotment, there shall be a deduction at the rate of _____ cents for each barrel of the normal yield of the excess acreage.

Section 4. PEANUTS

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine peanut allotments on the basis of the smaller of (1) an indicated acreage of peanuts, as reflected in the tillable acreage available for the production of peanuts for market, taking into consideration other special crop acreage allotments determined for the farm, with adjustments for production facilities and other physical factors affecting the production of peanuts on the farm, and (2) the acreage customarily grown for market.

The peanut allotments determined for the farms in a county shall not exceed their proportionate part of the county allotment.

B. Farm normal yields. The county committee, with the assistance of other local committees, shall determine a normal yield of peanuts for each farm for which a peanut allotment is determined or a deduction is computed. The normal yield of peanuts for market for any farm shall be determined on the basis of the yield of peanuts customarily made on the farm, with due consideration for type of soil, production practices, and general fertility of the land. The average yield for all farms in any county shall not exceed the approved county normal yield.

C. Payments. The payment is _____ cents for each 100 pounds of the normal yield for each acre in the peanut allotment. If the acreage of peanuts for market is in excess of the allotment, there shall be a deduction at the rate of _____ for each 100 pounds of the normal yield of the excess acreage.

D. Peanuts for market means all peanuts harvested for nuts on any farm for which an allotment is determined. For any other farm, peanuts for market means all peanuts harvested for nuts if any peanuts are separated from the vines by mechanical means and any peanuts are sold to persons not living on the farm.

Section 5. COMMERCIAL VEGETABLES

A. Farm allotments. In the commercial vegetable counties designated in subsection C, a vegetable allotment shall be determined by the county committee, with the assistance of other local committees, for each farm on which the acreage of land normally planted to commercial vegetables is 3 acres or more. The vegetable allotment shall be determined on the basis of the 1936-1937 average acreage or the average of a later period adjusted to the 1936-1937 level, with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, production facilities, crop-rotation practices, and changes in farming practices. The sum of the allotments determined for all farms in the county shall not exceed the approved county limit.

B. Payments. The payment is _____ for each acre in the commercial vegetable allotment determined for the farm or, if the acreage of commercial vegetables is less than 80 percent of the farm's commercial vegetable allotment, for an acreage equal to 125 percent of the acreage of commercial vegetables, unless the county committee finds that the acreage of commercial vegetables is less than 80 percent of the allotment because of flood or drought. There shall be a deduction for farms in commercial vegetable counties of _____ for each acre of commercial vegetables in excess of the larger of the allotment or 3 acres.

C. Commercial vegetable counties are as follows:

Atascosa, Bastrop, Bee, Bexar, Bowie, Brooks, Cameron, Cass, Cherokee, Collin, Dallas, Dimmit, DeWitt, Duval, Ellis, El Paso, Falls, Fannin, Fort Bend, Frio, Galveston, Garza, Harris, Henderson, Hidalgo, Hunt, Jim Wells, Karnes, Kaufman, Kleberg, Lamar, LaSalle, Lavaca, Lee, Limestone, Live Oak, Maverick, Medina, Milam, Montague, Navarro, Nueces, Panola, Parker, Red River, Reeves, Refugio, Rockwall, San Patricio, Smith, Tarrant, Van Zandt, Victoria, Webb, Wharton, Willacy, Williamson, Wilson, Wise, Wood, and Zavala.

D. Commercial vegetables means the acreage planted to annual vegetables or truck crops of which any portion of the production is sold to persons not living on the farm, except (1) such crops grown in home gardens for use on the farm, (2) English peas for canning or freezing, and sweet corn for canning, and (3) dried beans, cowpeas, bulbs and flowers, watermelons, cantaloupes, sweetpotatoes, and strawberries.

Section 6. TOTAL SOIL-DEPLETING CROPS

A. Farm allotments. The county committee, with the assistance of other local committees, shall determine a total soil-depleting

allotment for each farm. The allotment shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops, including sugar beets, customarily grown on the farm, taking into consideration special crop allotments determined for the farm. The total allotment for any farm shall compare with the total allotments for other farms in the same community which are similar with respect to these factors. The total soil-depleting allotments determined for the farms in a county shall not exceed their proportionate share of the county allotment.

B. Farm productivity indexes. The county committee, with the assistance of other local committees, shall determine a productivity index for each farm. The productivity index shall be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of any crop that does accurately reflect the productivity of the farm may be used. Where the 1940 productivity index accurately reflects the productivity of a farm for 1941, it may be used for the 1941 program. The productivity index for the farm shall be fair and equitable as compared with the productivity indexes for other farms in the county. The average productivity index for all farms in the county shall not exceed 100.

C. Payments. The rate of payment for general allotment farms is the county rate per acre^{1/}, adjusted for productivity, for each acre in the total allotment in excess of the sum of (1) the special crop acreages with respect to which a payment is computed and (2) the acreage of sugar beets for sugar planted for harvest in 1941.

For general allotment farms, there shall be a deduction at the county rate ^{1/}, adjusted for productivity, for the soil-depleting acreage in excess of the sum of (1) the total allotment and (2) the acreages for which deductions are computed with respect to special crops. For non-general allotment farms, there shall be a deduction on the above basis for the soil-depleting acreage in excess of the sum of (1) 20 acres, or, in counties designated under subsection D, 30 acres, (2) the cotton allotment for the farm, and (3) the acreages for which deductions are computed with respect to special crops.

^{1/} The average rate of payment per acre for general crops in the United States is _____ per acre and the average rate of deduction is _____ per acre. The Secretary will establish for each county a rate of payment and deduction per acre.

D. Non-general allotment farm means a farm on which the total soil-depleting allotment (excluding the cotton allotment) is not in excess of 20 acres [or 30 acres in the following counties: Anderson, Angelina, Austin, Bastrop, Bowie, Brazos, Burleson, Camp, Cass, Cherokee, Colorado, Fayette, Franklin, Freestone, Gregg, Grimes, Hardin, Harrison, Henderson, Hopkins, Houston, Jasper, Lavaca, Lee, Leon, Madison, Marion, Montgomery, Morris, Nacogdoches, Newton, Panola, Polk, Rains, Red River, Robertson, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, Walker, Waller, Washington, and Wood] but on which the soil-depleting acreage is in excess of the sum of (1) the total soil-depleting allotment, and (2) the acreages for which deductions are computed with respect to special crops.

E. General soil-depleting crops or general crops means all crops and land uses listed in the definition of soil-depleting acreage, except (1) special crops for which a separate payment or deduction is computed for the farm, and (2) sugar beets for sugar. Wheat on a non-wheat allotment farm and commercial vegetables on a non-vegetable allotment farm in a commercial vegetable county shall be regarded as general crops for the purpose of determining the division of the net payment or net deduction computed with respect to general crops.

Section 7. MISCELLANEOUS DEDUCTIONS

Failure to prevent wind or water erosion. There shall be a deduction of _____ for each acre of cropland in the farm (not to exceed the total payment computed for the farm) which is subject to serious wind or water erosion and on which approved measures for the prevention of wind or water erosion are not adopted in 1941.

Section 8. SOIL-BUILDING GOALS, PAYMENTS, AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. The county committee shall review the approved soil-building practices and, with the approval of the State committee, designate those practices that will qualify for payment in the county in order that the soil-building allowance will be used most effectively to secure the carrying out of soil-building practices most needed on farms in the county in order to conserve and improve soil fertility and to prevent wind and water erosion.

The county committee, with the approval of the State committee, may specify for all farms in the county or administrative area a proportion of the soil-building allowance which may be used only by carrying out designated soil-building practices which are most needed and are not routine.

C. Farm goals. Insofar as practicable, the county committee shall determine for individual farms practices to be followed which are not routine farming practices on the farm, but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion and which will tend to accomplish the goals established for the county with respect to particular soil-building practices.

D. Soil-building allowance. The soil-building allowance, which is the maximum payment available as assistance for carrying out soil-building practices, is the sum of the following:

(1) _____ cents for each acre of cropland in excess of the total soil-depleting allotment for the farm;

(2) _____ cents for each acre with respect to which a commercial vegetable payment is computed under section 5B;

(3) _____ for each acre of commercial orchards on the farm at the beginning of the program year;

(4) For non-crop open pasture land in the farm; provided that the amount computed under this item shall not be less than _____ cents times the smaller of (a) _____ acres or (b) the number of acres of non-crop open pasture land in the farm. (If there are more than 1,500 acres of non-crop open pasture land on a farm, none of such land may be used in computing the soil-building allowance for the farm.)

(a) _____ cents per acre in the following counties and in all counties lying east of the counties named: Cook, Denton, Tarrant, Johnson, Hill, McLennan, Bell, Williamson, Travis, Hays, Comal, Guadalupe, Gonzales, Karnes, Bee, San Patricio, Nueces, and Kleberg.

(b) _____ cents per acre in the following counties: Bandera, Bexar, Blanco, Concho, Edwards, Gillespie, Kendall, Kerr, Kimble, Llano, McCulloch, Mason, Medina, Menard, Real, Schleicher, Sutton, Tom Green, and Wilson.

(c) _____ cents per acre in all counties other than those named in (a) and (b) above.

(5) For non-general allotment farms, the county rate per acre, adjusted for productivity, for each acre in the total allotment in excess of the sum of (i) the acreages which are used in computing payments for special crops, and (ii) the acreage of sugar beets for sugar planted for harvest in 1941; and

(6) \$15.00 or the amount earned by planting forest trees in accordance with practice 25, whichever is the smaller.

If for any farm the sum of the maximum payments computed with respect to acreage allotments and under items (1) to (5), inclusive, of this subsection is less than \$20.00, the amount determined under items (1) to (5), inclusive, shall be increased by the amount of the difference.

E. Deduction for failure to maintain practices under previous programs. Where the county committee, with the approval of the State committee, determines that terraces constructed, forest trees planted, perennial legumes seeded, or pastures established under previous agricultural conservation programs are not maintained in accordance with good farming practices, or the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, there shall be deducted from payments which would otherwise be made with respect to the farm an amount equal to the payment which would be made under the 1941 program for a similar amount of such practices.

F. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular farm, shall count toward earning the soil-building allowance to the extent indicated when they are carried out during the 1941 program year in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part, the part representing one-half or more, with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have

been furnished by a State agency. Soil-building practices carried out with the use of equipment hired or leased from the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

EROSION CONTROL

1. Construction of standard terraces for which proper outlets are provided -- 75 cents per 100 feet.

Terraces to be approved for payment: (a) Must not exceed a fall of 4 inches per 100 feet along the terrace line (level terraces preferred where adaptable, particularly on land having very little slope in low rainfall areas).

(b) Must have fills in terrace line across gullies built up to normal level for the terrace ridge.

(c) Must equal or exceed the height and width specifications and must not be spaced further apart than the maximum widths indicated in the following table.

(d) The outlet ends of all terrace channels shall be protected by means of sodded channels, rock riprap, or other effective devices to prevent erosion of the terrace channel. Any terraces which are not properly protected will not be accepted under this practice.

Slope of land in feet per 100 feet ^{1/}	Minimum height -- top of terrace above upper channel		Minimum width from low point in terrace channel to center top of terrace ^{2/}		Recommended average distance between terraces ^{3/}
	New terrace before ledges are plowed in	Plowed-in settled terrace	New terrace before ledges are plowed-in	Plowed in settled terrace	
	Inches	Inches	Feet	Feet	Feet
1/2 or less	15	10	11	9	210
1	16	11	11	9	150
2	18	12	10	8	100
3	18	12	10	8	83
4	19	12-1/2	10	8	75
5	19	12-1/2	9	7	70
6	20	13	9	7	67
7	20	13	9	7	64
8 or more	21	14	8	6	62

^{1/} Over 1/2 foot in vertical fall will be considered as 1 foot. Maximum slope on which terraces will be approved will be determined by the State committee.

(continued)

2. Contour ridging of non-crop open pasture land -- 7-1/2 cents per 100 feet.

Ridges or narrow terraces must be at least 3 feet wide from the low point in upper or lower channel to the top of the ridge, at least 15 inches high above the low point in the upper channel, and spaced not more than one-third of the maximum terrace interval, as provided under practice 1. Ridges may be pushed from either the upper or the lower side or from both sides. Ridges must not empty directly into gullies but should be blocked at the ends or turned up-hill before crossing gullies. Guide lines shall be established for each ridge.

3. Construction of reservoirs and dams -- 15 cents per cubic yard of material moved, not to exceed 2,000 cubic yards for each development, and 10 cents per cubic yard for material moved in excess of 2,000 cubic yards for each development.

Before a reservoir or dam is constructed under this practice, it must be determined by the county committee that such reservoir or dam will be an efficient means of preventing erosion.

The site for the reservoir or dam shall be inspected and if the dam to be constructed will be 8 feet or more in height or will consist of approximately 300 cubic yards or more of earth, or in all cases where the surface of the ground on which the dam is to be built is extremely irregular, a preliminary survey shall be made before construction is started. At least one bench mark shall be established far enough from the dam so that it will not be disturbed during construction. All measurements and elevation readings shall be made from this reference point. Along the lengthwise contour line of the dam a minimum of three stakes shall be set, one at either end of the proposed dam and one at the lowest point of the stream bed. Additional stakes shall be set at all points where there is a break in the slope of the land. The location and elevation of each stake with reference to the established bench mark shall be properly measured and re-

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- 2/ On slopes in excess of 3 percent, the minimum width specification may be disregarded, provided the area of the cross section of the terrace equals or exceeds that of a terrace constructed in accordance with minimum width specifications. The width of the lower side of terrace shall, in all cases, be at least $\frac{2}{3}$ the width of the upper side of terrace, as indicated.
- 3/ This recommended average distance, which is the horizontal spacing between terraces, must not be exceeded by more than 30 percent.

corded. If the surface of the ground on which the dam is to be built is irregular, additional stakes should be set along the outline of the base at right angles to the lengthwise center line and spaced so that they will be in line with the main center line stakes. The location and elevation of these stakes must likewise be recorded.

To reduce seepage, a trench at least 4 feet wide shall be dug along the center line of the dam deep enough to reach a reasonably impervious subsoil. This trench should be filled with the most impervious soil readily available at or near the dam site and should form the base of a core of this same material which should be carried to a height equal to the normal water level in the completed dam. Where it is thought desirable, the entire base of the dam should be scarified to insure better bonding of the fill with the base of the dam. Where dams are built across gullies with steep banks, these banks should be sloped to form a trench for better bonding with the fill.

To be eligible for approval, dams and spillways shall be adequate. No dam shall be approved unless the top is at least 3 feet wide and is at least 3 feet higher than the floor of the spillway. The downstream slope of the dam should not be less than 1:1 (i.e., one foot horizontal to one foot vertical) but need not be greater than 2:1 regardless of the size and height of the dam. On small dams, 7 feet high or less or on large dams where there will be considerable wave action, upstream slopes should be at least 3:1 but may be 1-1/2:1. The top width of the dam will be increased in accordance with the height of the dam, the size of the drainage area, the capacity of the spillway, and other local conditions. For dams ten feet in height, the top must have a minimum width of five feet.

The cross sectional area of the spillway shall be at least twice the cross sectional area of the stream at its highest flood stage in the past. The top of the dam shall be not less than three feet above the floor of the spillway and this distance shall be increased sufficiently to insure water not running over the dam during floods. Unless the spillway is naturally protected from damaging erosion, such protection must be provided. The end of the dam shall be riprapped if it forms a part of the spillway.

Earth used in the construction of the dam or excavated in the spillway (unless such excavated earth is used in the dam) shall be measured and its volume computed. To compensate for shrinkage and settling before being certified, the gross volume of earth used in the construction of the dam shall be reduced by 20 percent if dragline is used in

construction, 15 percent if bulldozer is used in construction, and 10 percent if any other method of construction is followed.

Further helpful information regarding the construction of reservoirs and dams may be found in Texas Extension Circular No. MS-355.

4. Construction of ditches for the diversion of floodwater or well water on cropland, pasture land, or hay land -- 50 cents per 100 linear feet.

Ditches must have a depth of 1 foot and a width of 4 feet, or the equivalent cross section thereof. This practice is applicable in the following counties and all other counties lying west of these counties:

Clay, Jack, Palo Pinto, Erath, Hamilton, Lampasas, Burnet, Blanco, Kendall, Bandera, Medina, Atascosa, Live Oak, Jim Wells, and Kleberg.

5. Contour listing, subsoiling (chiseling), or furrowing non-cropland -- 1-1/2 cents per 100 feet, but not to exceed 50 cents per acre.

The furrow channels must be not less than 8 inches wide and 4 inches deep and not less than 3 feet apart, or if subsoiled (chiseled) not less than 3 inches wide and 6 inches deep. Guide lines for lister furrows must be set up at not to exceed one-half the terrace interval specified in practice 1.

6. Strip cropping on the contour -- 35 cents per acre.

(a) On land subject to wind erosion, the strips must consist of erosion-resisting crops alternating with strips of other types of erosion-resisting crops, or with erosion-permitting intertilled crops, or two of such alternating strips of crops alternating with one strip of fallow, strips to be not less than ten feet nor more than 200 feet wide, and the strips of erosion-resisting crops to occupy at least 25 percent of the area of the field. For the purpose of this practice, on land subject to wind erosion, sorghums, Sudan grass, and millet in rows or solid-seeded, and other solid-seeded crops shall be classified as erosion-resisting crops and all row crops, except sorghum, Sudan grass, and millet shall be classified as erosion-permitting crops.

(b) On land not subject to wind erosion, the strips must consist of solid-seeded crops alternating with row crops

or with fallow, strips to be not less than 10 feet nor more than 200 feet wide, and the strips of solid-seeded crops to occupy at least 25 percent of the area of the field.

7. Protecting summer fallowed acreage from wind and water erosion -- 35 cents per acre.

This applies to acreage from which no crop is harvested in 1941. Such acreage must be kept sufficiently free of vegetative cover so that available moisture is conserved, by either of the following methods:

- (a) Contour listing or pit cultivation to be done in the spring of 1941 not later than June 15, 1941, in accordance with the specifications of practice 9 or 11. This practice will apply in Andrews, Armstrong, Bailey, Briscoe, Carson, Castro, Cochran, Crosby, Dawson, Donley, Ector, Floyd, Gaines, Gray, Hale, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Midland, Ochiltree, Parmer, Potter, Randall, Roberts, Swisher, Terry, Wheeler, Winkler, and Yoakum counties.
- (b) Contour listing or pit cultivation, or otherwise incorporating the stubble and other trash into the soil not later than June 1, 1941 (where such practice is approved by the county committee as a good practice for the farm), in the following counties and in all counties lying west of the counties named, except those included in (a) above: Clay, Jack, Palo Pinto, Erath, Hamilton, Lampasas, Burnet, Blanco, Kendall, Bandera, Medina, Atascosa, Live Oak, Jim Wells, and Kleberg.

Where fallow strips alternate with rows or strips of crops, the actual acreage of land in the fallow strips shall qualify in accordance with this practice 7, provided such fallow strips between rows or strips of crops are not less than 10 feet and not more than 200 feet wide, and that the fallow strips shall not occupy more than two-thirds of the total area of the land occupied by such rows or strips of crops and fallow, the fallow strips being measured from a point of 1-1/2 feet from the erosion-resisting crop. Fallow strips for which credit is given under this practice cannot qualify under practice 6.

8. Contour farming intertilled crops -- 20 cents per acre.

This practice consists of the planting and cultivation of row crops following the contour as determined by a farm level or

surveyor's instrument, or following established terraces. If the land is not terraced, the rows must follow guide lines established at not to exceed twice the terrace interval specified in practice 1.

9. Contour listing cropland -- 20 cents per acre.

The furrows shall be made with a regular double moldboard lister or with a chisel of approved design, or other implement accomplishing the same results, as soon as possible after harvest, according to the specifications given herein.

- (a) The furrows shall not be more than 4 feet nor less than 20 inches apart and shall, if listed, not be less than 8 inches wide and 4 inches deep, or if chiseled, not be less than 4 inches wide and 8 inches deep.
- (b) The furrowing shall be done with the contour of the land, following guide lines established at not to exceed twice the terrace interval specified in practice 1, or following established terraces.
- (c) The contours shall be maintained until final preparation of the land for a crop.

On slopes averaging greater than 3-1/2 feet to each 100 feet the contour listing must be in combination with terracing. These specifications shall apply where contour listing is used in protecting summer fallow, except that such contour listing shall not qualify under this practice 9. Contour listing within 30 days prior to seeding shall not qualify as a soil-building practice.

10. Seeding of close-grown sweet sorghums, millets, soybeans, peas, and small grain crops on the contour -- 15 cents per acre.

The crop must be solid-seeded with a grain drill. Seeding must follow guide lines established with a standard farm level or surveyor's instrument at not to exceed twice the terrace interval specified in practice 1, or following established terraces.

11. Pit cultivation of cropland -- 15 cents per acre.

This must be done with an approved basin lister which will dam the lister furrows at regular intervals or with another implement accomplishing similar results. The furrows are not to be more than 4 feet nor less than 20 inches apart and not less than 4 inches deep and the pits or basins must occupy at least 25 percent of the land. On slopes greater than 2 percent, this practice will not qualify unless done

on the contour following guide lines established at not to exceed twice the terrace interval specified in practice 1, or must follow established terraces. These same specifications shall apply where pit cultivation is used in protecting summer fallow, except that such practice shall not qualify under this practice 11. Pit cultivation on the contour will not qualify under this practice but will qualify under practice 9 if meeting other specifications of that practice. Pit cultivation as a part of a seeding operation shall not qualify as a soil-building practice.

SEEDINGS

Phosphate must be applied in recommended amounts and in accordance with approved methods in connection with grasses and legumes seeded in fields where it is known that the availability of this material is not sufficient to assure a successful growth of the crop being seeded. Self-seeded or volunteer crops will not be considered to have been seeded under practices 12 through 17, and, therefore, will not qualify for payment under these practices.

12. Seeding adapted varieties of alfalfa on a properly prepared seedbed -- \$1.50 per acre.
13. Seeding permanent pasture grasses -- \$3.00 per acre.

BERMUDA - East Texas, Coast Prairie, Blackland, West Cross Timbers, and Grand Prairie, on highly fertile soil. RHODES - Rio Grande Plains and eastward to the Colorado River, on tillable land. CARPET - East Texas on low, moist pine-timber land and the Coast Prairie. BLUESTEM - East Texas, Coast Prairie, Blackland, Grand Prairie, Central Basin, West Cross Timbers, Rio Grande Plains, on sandy to sandy loam soils. BLUE GRAMA - High Plains, Rolling Plains, Mountains and Basins on clay loam to sandy loam soils. BUFFALO - High Plains, Rolling Plains, Edwards Plateau, Grand Prairie, Blackland, West Cross Timbers, Rio Grande Plains on clay loam to loamy soils. DALLIS and BERMUDA or CARPET - East Texas and Coast Prairie on fertile clay loam to fine sandy soils. NATIVE MIXTURES - Mixtures of native perennial grasses such as buffalo, blue grama, side-oats grama, sand dropseed, and others that may be found growing naturally under conditions comparable to those where planting is to be done.

Preparation and culture: Seed must be planted on well-prepared seedbed, and weeds controlled to conserve moisture and prevent reseeding. If the land is plowed, it must be allowed to pack several months in advance of sowing. The land must be firm with sufficient moisture

for germination and growth of grass seedlings. Gullying must be prevented or controlled by terracing or contour furrowing. Low wet land must be drained.

On recommendation by the county committee, land subject to wind erosion must be protected by the crop residue of Sudan grass or other sorghum grown the preceding year and preferably mowed before seed maturity, and grass seed should be drilled on the old crop residue without otherwise disturbing it.

Seeding must be done in the spring at early corn-planting time at the rate of not less than 6 pounds per acre (15 pounds per acre for bluestem and native mixtures), and after seeding the land should be press-drilled or rolled. Severe infestation of weeds must be mowed to prevent seeding. Land seriously depleted of fertility, as evidenced by previous low productivity, must be improved by the addition of manure, phosphate, or green manure crops. No payment will be made under this practice when carried out on depleted soil or on land on which a permanent vegetative cover is being established in 1941 under practice 14 or 21 or has been established under previous agricultural programs.

14. Seeding any of the following crops on a suitable well-prepared seedbed at not less than the specified rate -- 75 cents per acre.

Biennial sweetclover, 20 pounds, white Dutch clover, 3 pounds; black medic, 10 pounds; Italian ryegrass, 20 pounds. Mixtures of these legumes -- the seeding rate of each legume in the mixture shall be that amount which is obtained by dividing the seeding rate for each legume when seeded alone by the total number of legumes in the mixture. The maximum payment that may be earned on an acre of land under this practice is 75 cents.

15. Seeding winter legumes -- \$1.50 per acre.

The seed must be properly inoculated, and must be planted not later than the end of the program year on a suitable, well-adapted seedbed. Seedings must not be less than the following rates:

Vetch -- 15 pounds per acre
Austrian winter peas -- 20 pounds per acre
Bur-clover -- 12 pounds per acre of clean seed, or
the equivalent in burs

16. Seeding annual lespedeza -- \$1.00 per acre.

The lespedeza must be seeded on a suitable, well-prepared seedbed at not less than 20 pounds per acre, and must be

planted not later than May 15, 1941. No credit will be given for seeding lespedeza on land on which lespedeza was grown in 1940.

SOIL IMPROVEMENT

17. Application of the following materials to, or with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, Italian ryegrass, or permanent pasture, if such crops are not seeded or grown with soil-depleting crops.

- (a) 100 pounds of 48 percent triple superphosphate -- \$1.50.
- (b) 240 pounds of 20 percent superphosphate -- \$1.50.
- (c) 300 pounds of 16 percent superphosphate -- \$1.50.

The material must be applied evenly over the area on which application is made. The crops to which the material is applied must not be seeded or grown with a soil-depleting crop. Winter legumes sown in row-crop middles are not considered as seeded or grown with a soil-depleting crop. In the case of lespedeza seeded alone, winter legumes, Italian ryegrass, and crotalaria, application must be made at or before the time of seeding. In the case of lespedeza seeded with small grains, the material must not be applied before the grain crop is harvested nor after July 15.

18. (a) Green manure and cover crops of non-legumes -- 75 cents per acre.
- (b) Green manure and cover crops of legumes -- \$1.50 per acre.

A good stand and a good growth of the green manure crops must be plowed or disked under if on land that would not be made more subject to erosion by reason of the fact that the crops are plowed under. A good growth means a growth which would justify harvest of a feed crop. If on land that would be made more subject to erosion by plowing crops under, these crops must be left on the land or, if plowed under, must be followed by a winter cover crop.

Green manure crops shall not include lespedeza, wheat, grain sorghums, peanuts, any crop (except winter legumes) for which credit is given for seeding in 1941 under any other practice, or soybeans from which the seed is harvested by mechanical means.

Native vegetation will not qualify under this practice.

Some of the crops that may qualify under (a) are: Sweet sorghums, Sudan grass, millets, and small grains (except wheat).

Some of the crops that may qualify under (b) are: Austrian winter peas, vetch, cowpeas, soybeans (except where the seed is harvested by mechanical means), velvetbeans, and clovers.

19. Summer legumes, excluding those classified as soil-depleting and peanuts hogged off, interplanted or grown in combination with soil-depleting crops -- 30 cents per acre.

A good stand and a good growth must be obtained and the vines not harvested or in the case of soybeans the seed removed by mechanical means. A good growth means a growth which would justify harvest of a feed crop. The legumes must occupy not less than $\frac{1}{3}$ of the land.

PASTURE IMPROVEMENT

20. Natural reseeding (restoration) of non-crop open pasture land by non-grazing (deferred grazing) -- 15 cents per acre.

The deferred area must be kept free of livestock during the normal pasture season and must be mowed at least once during the non-grazing period, if recommended by the county committee. Infestations of pricklypear must be eradicated in accordance with the provisions of practice 24(a) (in which case payment will also be made under practice 24(a)). The beginning of the 1941 non-grazing period is to be set on a date between March 1, 1941 and June 1, 1941, by the county committee with the approval of the State committee. The duration of the non-grazing period shall not be less than 150 consecutive days.

21. Sodding perennial grasses -- \$3.00 per acre.

Bermuda, Buffalo, Angleton, Bahia, Centipede, St. Augustine, Para, Elephant, Black Grama, Guinea, Gama, Burro, or Wire grasses.

These grasses may be transplanted locally from where they may be found growing naturally to other locations of similar conditions or they may be introduced into the following areas under the following conditions:

Buffalo and Bermuda for the areas given under practice 13. Angleton, Elephant, Bahia for fertile soils west of the Trinity River and south of an east and west line through Austin, within 25 inches annual rainfall. Centipede in East Texas on medium sands to fine sandy loams. St. Augustine within the humid region of the State or where additional moisture may be supplied. Para grass on moist soil of high fertility of the

Coast Prairie east of the Guadalupe River or on irrigated land along the coast. Black Grama on the Southern High Plains and Trans-Pecos regions. Guinea grass in counties bordering the Coast on fertile moist soil. Burro grass in the western Edwards Plateau and Trans-Pecos regions. Wire grass (Vine mesquite) on moist fertile soil throughout Texas.

Severe infestations of weeds must be controlled by mowing or by cultivation after sodding. Sodding must be done only where there is sufficient moisture for continuous growth. One sod piece of 4 inches in diameter per 28 square feet (or the equivalent in sprigs) is required. At least 75 percent of the grass sodded must be growing at the time performance is checked.

22. Renovating permanent pastures consisting of perennial grasses or legumes or mixtures of these by mowing -- 25 cents per acre per mowing, not to exceed 50 cents per acre.

Pastures must be mowed as often as necessary to control weeds and shrubs and the plants mowed must not be used for hay or sold for any purpose. Payment will not be made for mowing a greater number of times than the county committee finds it necessary for the destruction of noxious plants. Bushes and shrubs too heavy to mow must be removed.

23. Development of springs or seeps by excavation -- 30 cents per cubic foot of soil or gravel and 50 cents per cubic foot of rock. The spring or seep to be developed must be determined by the county committee to be an efficient means of preventing erosion and the destruction of grass by providing a better distribution of stock water on the farm.

Water storage of at least 20 cubic feet must be provided. The water source shall be protected from trampling. Payment will not be made for less than 67 cubic feet of soil or gravel or 40 cubic feet of rock formation excavated. Payment will not be made for more than 334 cubic feet of soil or gravel or 200 cubic feet of rock excavated.

24. Control of destructive plants on non-crop pasture land:

Provided, That if the county committee determines that the control of destructive plants under this practice will reduce the vegetative cover to such an extent as to encourage increased soil erosion, artificial reseeding shall also be required where soil and climatic conditions permit. Approval of the county committee must be secured prior to the institution of this practice if payment is made.

- (a) Eradicating pricklypear and cactus
 - (1) Light infestation - 2 to 6 percent, inclusive --
50 cents per acre.
 - (2) Medium infestation - 7 to 12 percent, inclusive --
75 cents per acre.
 - (3) Heavy infestation - above 12 percent -- \$1.00 per acre.
- (b) Eliminating mesquite
 - (1) Light infestation - 5 to 20 percent, inclusive --
50 cents per acre.
 - (2) Medium infestation - 21 to 40 percent, inclusive --
\$1.00 per acre.
 - (3) Heavy infestation - above 40 percent -- \$2.00 per acre.
- (c) Eliminating cedar
 - (1) Light infestation - 5 to 15 percent, inclusive --
75 cents per acre.
 - (2) Medium infestation - 16 to 30 percent, inclusive --
\$1.00 per acre.
 - (3) Heavy infestation - above 30 percent -- \$1.50 per acre.
- (d) Eliminating sagebrush
 - (1) Heavy infestation - 10 percent and above -- 50 cents per acre.

Payment will be based on the percentage of ground infested. Where infestation is less than the minimum percent shown under each of the above practices, coverage will be calculated by counting two or more acres as one, according to the relative facts found by the county committee.

Note: The degree of infestation of destructive plants as outlined in this practice 24(a), (b), (c), and (d) will be determined by judging the density of the growths and grading them in accordance with the percentage of the ground covered by the total spread of trees or plants, as estimated by the county committee. In order to make an accurate estimate as to the percentage of coverage of such plants, the county committee or its representative should step off a representative tenth or twentieth of an acre of infested area and measure the ground covered by all the trees and plants under consideration that are on the area. From this it can be determined the percentage of coverage on such plot or plots, then use this percentage as a basis for arriving at the percentage of the entire infested area.

FORESTRY

- 25. Planting forest trees (including shrubs in protective plantings) --

- (a) Pines -- \$4.50 per acre.
- (b) Hardwoods and other species listed below, except pines -- \$6.00 per acre.

(1) The planting of forest trees is recommended on old fields and on other areas on which there are insufficient seed trees present to reseed naturally the area to desirable species of forest trees; (2) when planting in plowed furrows the plowing should be done along contours. Preparation of site otherwise unnecessary, except where there is a heavy covering of brush which would seriously compete with, or render unsuccessful, any attempt to establish a stand of forest trees. In such cases the brush should be grubbed from the entire area qualifying for payment; (3) spacing of planted trees. In the Pine-Hardwood and Post Oak-Hardwood regions; a semiregular 6 x 8 foot spacing, or approximately 1,000 trees per acre for pines and an 8 x 8 foot spacing, or approximately 700 trees per acre for hardwoods are required with a survival at the time performance is checked of 65 percent. In the Western Texas Region: 350 living trees per acre for windbreaks or woodlots at compliance time will be required. To be certain of obtaining this stand, it is advisable to plant approximately 450 trees per acre, a spacing of not less than 10 x 10 feet; (4) species recommended for planting:

- (a) In the Pine-Hardwood Region (Red River, Franklin, Wood, Smith, Henderson, Anderson, Houston, Walker, Grimes, Montgomery, Harris, and Chambers counties, and all counties lying east of these counties): Shortleaf, loblolly, longleaf, and slash pines, black locust, Osage-orange, white and red oak, mulberry, shagbark or white hickory, white ash, black walnut, magnolia, sweetgum, and catalpa.
- (b) In the Post Oak-Hardwood Region (Montague, Wise, Parker, Hood, Somervell, Bosque, Coryell, Bell, Williamson, Travis, Hays, Comal, Bexar, Wilson, Karnes, Bee, San Patricio, Nueces, and Kleberg counties, and all counties lying east of these counties, except those included in the Pine-Hardwood Region): Post oak, honeylocust, cottonwood, black walnut, Osage-orange, catalpa, Arizona cypress, one-seeded juniper, American elm, Chinese elm, sycamore, tamarix, and, in some favorable locations, loblolly pine.
- (c) In the Western Texas Region (all counties west of those counties included in the Post Oak-Hardwood Region): American elm, black locust, black and western walnut, bur oak, catalpa, juniper, Chinese elm, coffee tree, colutea, cottonwood, desert willow, green ash, hackberry, honeylocust, jujube, lilac, mulberry, Osage-orange, persimmon, western yellow and Scotch pines, Russian olive, tamarix, vitex, wild plum, and (in the southern

counties of the Region) eucalyptus, Australian pine and Brazil.

Maintaining a good stand by replanting will not qualify under this practice but may qualify under practice 26.

Trees purchased from a State nursery may qualify under this practice. No credit for reaching the goal shall be given for the planting and protection of forest trees planted under a cooperative agreement entered into in connection with the Prairie States Forestry Project.

26. Cultivating, protecting, and maintaining a good stand of forest trees planted between July 1, 1937 and January 1, 1941 (or before July 1, 1941, if under a cooperative agreement with a government agency) -- \$1.50 per acre.

In areas where cultivation is necessary, it should consist of sufficient number of cultivations during the open season to assure satisfactory growth. Each cultivation shall be in accordance with approved tillage methods as applied for row crops. Burning and harmful grazing must have been prevented. Maintaining, by replanting, if necessary, an adequate stand of forest trees with a minimum survival of 450 well-distributed trees per acre when planted as woodlots. For windbreak plantings, a minimum survival of 350 well-distributed trees per acre shall be considered adequate.

27. Improving farm woodlands -- 75 cents per acre.

- (a) The county committee must approve the area on the farm on which this practice is to be carried out prior to the institution of the practice.
- (b) The county committee shall not approve such practice unless the area on which it is to be carried out is unprotected from fire and has dead, diseased, insect-infested, crooked, and limby trees or undesirable species which need removing, and when removed will leave in excess of 100 potential timber trees of desirable species at least 6 inches in diameter per acre or 200 trees at least 3 inches in diameter per acre well distributed over the area.
- (c) All dead, diseased, insect-infested, crooked, limby, and undesirable species which will not produce forest products, and which are interfering with the growth of desirable trees shall be removed. To qualify under this practice, the woodland area protected must be unburned during the year.

MISCELLANEOUS

28. Growing a home garden -- \$1.50.

Credit will be given for a home garden grown on the farm for each landlord, tenant, or sharecropper family on the farm.

A home garden shall consist of vegetables grown for home use, either for consumption fresh during the growing season, or for canning, drying, or storing.

Garden vegetables, with the exception of watermelons and sweetpotatoes for home use, shall not be in more than two plots. Watermelons and sweetpotatoes may be planted whenever advisable. The acreage in the home garden must not be used for any soil-depleting purpose during the year. Each home garden, including sweetpotatoes and watermelons, must contain not less than 1/2 acre.

The garden planting shall consist of at least 10 different kinds of vegetables. Each kind of vegetable shall be planted in sufficient quantity to supply the farm family with a well-balanced vegetable diet. The garden must be planted on a well-prepared seedbed and cultivated in accordance with good garden culture.

Section 9. SOIL-DEPLETING ACREAGE

(a) Soil-depleting acreage means the acreage of land devoted during the 1941 crop year to one or more of the following crops or uses. Land from which a volunteer crop is harvested shall be classified as if the crop were planted.

(1) Corn, including sweet corn and popcorn, planted for any purpose, except roasting ear corn or popcorn grown in home gardens for use on the farm.

(2) ~~Grains~~ sorghums planted for any purpose.

(3) Amber, orange, redtop, African millet, and seeded ribbon cane varieties of sweet sorghums when harvested for grain, seed, or sirup. All other varieties, when planted for any purpose.

(4) Land considered as planted to cotton in accordance with the definition of acreage planted to cotton on page 3. Other land on which all of the cotton produced is determined to staple 1-1/2 inches or more in length.

(5) Sugar beets planted for any purpose.

(6) Sugarcane grown for any purpose.

(7) Peanuts dug for any purpose, except when grown in home gardens for use on the farm.

(8) Rice planted for any purpose.

(9) Broomcorn planted for any purpose.

(10) Mangels or cowbeets planted for any purpose.

(11) Potatoes planted for any purpose, except when grown in home gardens for use on the farm.

(12) Truck and vegetable crops planted for any purpose, except when grown in home gardens for use on the farm.

(13) Field beans planted for any purpose, except when used as green manure or grown in home gardens for use on the farm.

(14) English peas planted for canning, freezing, or dried peas, except when used as green manure or grown in home gardens for use on the farm.

(15) Wheat planted (or regarded as planted) for any purpose on a wheat allotment farm.

(16) Wheat (on a non-wheat allotment farm), oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for grain.

(17) Wheat (on a non-wheat allotment farm) including designated mixtures containing wheat on any farm harvested for hay; except (i) when used as a nurse crop for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut for hay not later than the bloom stage, or (ii) when wheat or a mixture containing wheat is seeded in a mixture containing 50 percent or more by weight of winter legume seed and harvested for hay.

(18) Oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for hay, except (i) when such crops are used as nurse crops for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut for hay not later than the bloom stage, or (ii) when such crops are seeded in a mixture containing 25 percent by weight of winter legume seed and harvested for hay.

(19) Buckwheat, Sudan grass, or millet harvested for grain or seed.

(20) Land summer-fallowed and not protected from wind and water erosion by contour listing, pit cultivation, strip cropping, border planting, or by other methods approved by the State committee.

(21) Flax planted for any purpose, except when matched acre for acre by perennial legumes or perennial grasses seeded alone in a workmanlike manner.

(22) Commercial bulbs and flowers, castor-beans, strawberries, and cultivated sunflowers harvested for any purpose.

(b) If one soil-depleting crop or land use is followed by another soil-depleting crop or land use on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded.

(c) If more than one soil-depleting crop or land use occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop or land use, except that:

(1) If cotton and another soil-depleting crop (other than commercial vegetables in commercial vegetable counties) are grown in alternate rows or strips, or both, and the rows or strips of cotton are less than 7 feet apart (measured from the drill), cotton shall be considered to occupy all of the land, provided, that if cotton and peanuts are the crops, cotton shall be considered to occupy all of the land; and in addition, each row of peanuts for market shall be considered to occupy a strip of land 2 feet in width.

(2) If commercial vegetables and another crop for which a special acreage allotment is established are grown on the same acreage, all of the land shall be considered as planted to the crop other than commercial vegetables for which the special acreage allotment is established; and in addition, all of the land shall be considered as planted to commercial vegetables if the commercial vegetables are planted in rows of less than twice the normal width for planting the crop alone. If the commercial vegetables are planted in rows at least twice the normal width for planting the crop alone, only half the land shall be considered as planted to commercial vegetables.

(d) Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and the acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

(e) If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil depleting, the entire acreage of land shall be classified as soil depleting with the following exceptions:

(1) Where strips of soil-depleting crops, alternating with strips of crops or land uses not classified as soil depleting are 10 feet (3 rows not less than 40 inches wide) or more apart, the acreage occupied thereby is classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point one-half the width of the soil-depleting row but in no case less than 1-1/2 feet from the outside of the strip of soil-depleting crop), provided, that if peanuts (whether or not soil depleting) are grown in alternate rows or strips, or both, with cotton and the rows or strips of cotton are 7 feet or more apart (measured from the drill), the land shall be classified in accordance with the actual acreage occupied by each crop.

(2) Flax when followed by, planted with, or matched acre for acre by, perennial legumes or perennial grasses.

(f) All or any part of any acreage of any general soil-depleting crop which is destroyed before maturity by flood, drought, insects, or any other cause beyond the control of the operator, may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops, if replaced by other acreage devoted to a soil-depleting crop.

Section 10. DIVISION OF PAYMENTS AND DEDUCTIONS

A. Payments and deductions for acreage allotments. (1) The net payment or net deduction computed for any farm for special and general crops shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares) that such persons are entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such crop grown on the farm in 1941 (such determination shall be made at the time the county committee approves the application for payment) with the following exceptions:

(i) Crop failure, etc. If any such crop is not grown on the farm in 1941 or the acreage of such crop is substantially reduced by flood, hail, drought, or insects, the net payment or net deduction computed for such crop shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines that such persons would have been entitled to share in the proceeds of such crop if the entire acreage in the allotment for such crop had been planted and harvested in 1941.

(ii) Underplanting cotton. If for any reason the total acreage of cotton on the farm in 1941 is less than 80 percent of the cotton allotment and the acreage of cotton

which is or would have been grown thereon by any tenant or sharecropper in 1941 is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally grow thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton allotment had been planted and harvested in 1941. But in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1941.

(iii) Separately-owned tracts. In cases where two or more separately-owned tracts of land comprise a farm, upon the written agreement of all persons who are entitled to receive a share of the proceeds of any such crop, as shown by their signatures on the application for payment or a separate statement, the share of each such person in the net payment or net deduction computed for such crop on such farm shall be that share which fairly reflects the contribution of each such person to performance with respect to such crop and also results substantially in a division of such payment or deduction among landlords, tenants, and sharecroppers as classes, as each such class shares in the crop, or proceeds thereof, for which the payment or deduction is being made.

(2) The deduction for failure to prevent wind and water erosion shall be regarded as a deduction for general crops.

(3) The deduction for failure to maintain soil-building practices carried out under previous programs shall be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

B. Soil-building practice payments. The payment for carrying out soil-building practices on the farm shall be made to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one such person contributed to the carrying out of soil-building practices, the payment shall be divided in the proportion that such person's contribution to the cost of carrying out such practices bears to the total cost of such practices carried out on the farm. All persons contributing to practices carried out on a particular acreage shall be deemed to have contributed equally, unless such persons prove to the county committee that their contributions were not in equal proportion, in which event the payment for such practice

shall be divided in the proportion which the county committee determines each such person contributed thereto. The furnishing of the land on which a practice is carried out will in no case be considered as a contribution to the carrying out of such practice.

C. Proration of net deductions. If a net payment is computed for a farm as a whole, but a net deduction is computed for one or more of the persons interested therein, such net deductions shall be prorated among the persons for whom a net payment is computed in the proportion that the net payment for each such person bears to the sum of all such net payments. If a net deduction is computed for any farm as a whole, no payment will be made with respect to such farm and the amount of such net deduction shall be prorated among the persons on the farm in the proportion that the net deduction computed for any person bears to the sum of the net deductions computed for all persons on the farm.

Section 11. GENERAL PROVISIONS RELATING TO PAYMENTS
AND DEDUCTIONS

A. Increase in small payments. The total payment computed under the foregoing sections for any person on any farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1.00;

(2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0.40	\$17.00 to \$17.99 ..	\$6.80
\$2.00 to \$2.9980	\$18.00 to \$18.99 ..	7.20
\$3.00 to \$3.99	1.20	\$19.00 to \$19.99 ..	7.60
\$4.00 to \$4.99	1.60	\$20.00 to \$20.99 ..	8.00
\$5.00 to \$5.99	2.00	\$21.00 to \$21.99 ..	8.20
\$6.00 to \$6.99	2.40	\$22.00 to \$22.99 ..	8.40
\$7.00 to \$7.99	2.80	\$23.00 to \$23.99 ..	8.60
\$8.00 to \$8.99	3.20	\$24.00 to \$24.99 ..	8.80
\$9.00 to \$9.99	3.60	\$25.00 to \$25.99 ..	9.00
\$10.00 to \$10.99	4.00	\$26.00 to \$26.99 ..	9.20
\$11.00 to \$11.99	4.40	\$27.00 to \$27.99 ..	9.40
\$12.00 to \$12.99	4.80	\$28.00 to \$28.99 ..	9.60
\$13.00 to \$13.99	5.20	\$29.00 to \$29.99 ..	9.80
\$14.00 to \$14.99	5.60	\$30.00 to \$30.99 ..	10.00
\$15.00 to \$15.99	6.00	\$31.00 to \$31.99 ..	10.20
\$16.00 to \$16.99	6.40	\$32.00 to \$32.99 ..	10.40

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$33.00 to \$33.99	\$10.60	\$48.00 to \$48.99 ...	\$12.80
\$34.00 to \$34.99	10.80	\$49.00 to \$49.99 ...	12.90
\$35.00 to \$35.99	11.00	\$50.00 to \$50.99 ...	13.00
\$36.00 to \$36.99	11.20	\$51.00 to \$51.99 ...	13.10
\$37.00 to \$37.99	11.40	\$52.00 to \$52.99 ...	13.20
\$38.00 to \$38.99	11.60	\$53.00 to \$53.99 ...	13.30
\$39.00 to \$39.99	11.80	\$54.00 to \$54.99 ...	13.40
\$40.00 to \$40.99	12.00	\$55.00 to \$55.99 ...	13.50
\$41.00 to \$41.99	12.10	\$56.00 to \$56.99 ...	13.60
\$42.00 to \$42.99	12.20	\$57.00 to \$57.99 ...	13.70
\$43.00 to \$43.99	12.30	\$58.00 to \$58.99 ...	13.80
\$44.00 to \$44.99	12.40	\$59.00 to \$59.99 ...	13.90
\$45.00 to \$45.99	12.50	\$60.00 to \$185.99 ..	14.00
\$46.00 to \$46.99	12.60	\$186.00 to \$199.99 :	(1/)
\$47.00 to \$47.99	12.70	\$200.00 and over ..	(2/)
1/ Increase to \$200.00.		2/ No increase	

B. Payments limited to \$10,000. The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate, with respect to farms and ranching units located in Texas, shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate, with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

C. Deductions incurred on other farms. (1) The net deduction computed for any person under sections 1 to 8, inclusive, shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

(2) The net deduction computed for any person in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee

finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

D. Deduction for association expenses. There shall be deducted from the payments for any farm the pro rata share that the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

E. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection G of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

F. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the three years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection E is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or

require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 program.

G. Assignments. Any person who may be entitled to any payment in connection with the 1941 program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection G shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

H. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted, or caused or permitted the planting of, cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment for the farm for 1941, and that cotton was not planted in excess of such allotment by his authority or with his consent. Any person who knowingly plants, or causes or permits the planting of, cotton on his farm in 1941 on acreage in excess of the cotton allotment for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment; provided that any producer will not be considered to have knowingly overplanted the cotton allotment if--

(a) he proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) he did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose), and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

A notice of the cotton allotment mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that:

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the allotment for his farm, he planted a number of acres which exceeded the allotment for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment; provided that any producer will not be considered to have knowingly overplanted the cotton allotment if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose), and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge, but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment for the farm.

I. Deductions in case of erroneous notice of acreage allotment.

Notwithstanding the deduction provisions of sections 1 to 6 inclusive, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

J. Use of soil-conserving crops for market. Payment will not be made with respect to any farm in the counties listed below, unless on such farm in 1941 an acreage of cropland equal to the smaller of the following is withheld from the production of soil-

depleting crops and from the production of soil-conserving crops for market:

(1) The amount by which the normal acreage of soil-depleting crops on the farm exceeds the total soil-depleting acreage allotment for such farm, or

(2) the amount by which the normal acreage of soil-depleting crops on the farm exceeds the acreage devoted to soil-depleting crops on such farm in 1941; provided, that payment shall not be denied any farmer for using soil-conserving crops for market, if, on the farm in question --

(a) the increase above normal in the number of dairy cows does not exceed two cows, or

(b) the number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of cows, or

(c) none of the soil-conserving crops to which such provisions are applicable is used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than ten percent of the milk, or products thereof, produced on the farm.

The counties designated are as follows:

Austin
Erath
Jones
Lavaca
Taylor

K. Materials and services furnished to carry out soil-building practices. Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services

exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deductions for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 12. PAYMENT RESTRICTED TO EFFECTUATION OF PURPOSES OF THE PROGRAM

A. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) Practice. A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) Practice. A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) Practice. A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building

practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) Practice. A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) Practice. A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded. All the payments which have been or otherwise would be made to a person who adopts such practices.

(6) Practice. A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular individual is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded. The individual's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) Practice. A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded. The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) Practice. A person rents land for cash, standing or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded. The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) Practice. A person participates in the production of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded. The proportion of the net amount of the deduction which would be computed for the farm which the committee determines was such person's interest in the crops produced.

(10) Practice. A tenant in settling his obligations under a rental contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded. The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) Practice. A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded. The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) Practice. A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded. The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Idle farms. No payments except those for carrying out soil-building practices shall be made with respect to any farm which is not operated in 1941.

C. Failure to carry out erosion-control measures. No payments will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

Section 13. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 10, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which a work sheet is on file in the county office executed under previous agricultural conservation programs or not later than March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms in the county which he operates or rents to other persons. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or apportion of the crops, or proceeds thereof, or rents to another.

Section 14. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation regarding any matter affecting the right to or the amount of his payment with respect to a farm in the operation of which he has an interest as landlord, tenant, or sharecropper. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the receipt of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 15. DEFINITIONS

For the purposes of the 1941 Agricultural Conservation Program, herein referred to as the 1941 program:

(1) FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) PERSON means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) LANDLORD OR OWNER means a person who owns land and rents such land to another person or operates such land.

(4) SHARECROPPER means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

(5) TENANT means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon) or of the proceeds thereof, and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof, and in the case of rice also means a person furnishing water for a share of the rice.

(6) CROPLAND means farm land which in 1940 was tilled or was in regular rotation, excluding any land which constitutes or will constitute, if such tillage is continued, a wind-erosion hazard to the community.

(7) COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits, on the farm at the beginning of the program year (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) NON-CROP OPEN PASTURE LAND means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any shrubs or trees is such that the land could not be fairly considered as woodland.

(9) SPECIAL CROP ALLOTMENTS OR SPECIAL ALLOTMENTS means cotton, wheat, commercial vegetable, peanut, or rice acreage allotments.

Section 16. AVAILABILITY OF FUNDS

The provisions of the 1941 program are necessarily subject to any legislation which Congress may enact. Payments will be made only from appropriations made by Congress for this purpose, and the amounts of the payments will be limited by the amount of the appropriation, the apportionment of the appropriation under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation in the program. As an adjustment for the extent of participation in the program, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased by as much as 10 percent.

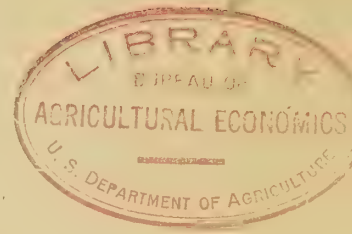
I. W. Duggan

I. W. Duggan,
Director, Southern Division.

SRB-501-Texas
Special Counties

Issued March 13, 1941

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION



HANDBOOK

1941 TEXAS SPECIAL AGRICULTURAL CONSERVATION PROGRAM

[Applicable only in Dallam, Deaf Smith, Hansford,
Hartley, Moore, Oldham, and Sherman Counties,
Texas, for the program year December 1, 1940,
through November 30, 1941.]

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SPECIAL 1941 AGRICULTURAL CONSERVATION PROGRAM
FOR DESIGNATED TEXAS COUNTIES

[Applicable only in Dallam, Deaf Smith, Hansford, Hartley, Moore, Odham, and Sherman Counties, Texas, for the program year December 1, 1940 through November 30, 1941]

The 1941 Texas Special Agricultural Conservation Program is a continuation of the special program which was inaugurated in Sherman County in 1939 and extended to Dallam, Deaf Smith, Hansford, Hartley, Moore, and Oldham Counties in 1940. The purpose of this program is to give greater consideration to the particular wind-erosion problems existing in this area and to provide a medium through which the farmers may cooperate in carrying out erosion-resisting practices, resulting, to a large measure, in the control of common erosion problems.

Section 1. ALLOTMENTS AND GOALS

Farm acreage allotments, usual acreages, and farm productivity indexes shall be determined, and restoration land shall be designated, by the county committee, with the assistance of community committees, in accordance with the provisions contained herein and instructions issued by the Agricultural Adjustment Administration (hereinafter referred to as the AAA).

A. WHEAT

(1) Farm acreage allotments. (i) The county committee, with the assistance of community committees, shall determine allotments for farms on which wheat was planted for harvest in one or more of the years 1938, 1939, and 1940, on the basis of tillable acreage and crop-rotation practices, as reflected in the usual acreage of wheat on the farm, or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography.

(ii) Not more than 3 percent of the county allotment shall be apportioned to farms on which wheat was not planted for harvest in any of the years 1938, 1939, or 1940, but on which wheat is planted for harvest in 1941. This apportionment shall be made on the basis of tillable acreage, crop-rotation practices, type of soil, and topography. If the acreage planted to wheat for harvest in 1941 on any such farm is less than the 1941 wheat allotment, the allotment will be reduced to the acreage planted to wheat.

(iii) The allotment for any farm shall compare with the allotments determined for other farms in the same community which are similar with respect to the foregoing factors. The allotments determined for farms in a county shall not exceed their proportionate share of the county allotment.

(2) Non-wheat allotment farm means (i) a farm for which a wheat allotment of 5 acres or less is determined and the operator has not made a written request for the farm to be considered as an allotment farm, (ii) a farm for which a wheat allotment of more than 5 acres is determined and the county committee approves a written request of the farm operator to have such farm considered as a non-allotment wheat farm, and (iii) a farm which is owned or leased by a conservation district, an association determined by the State committee to have been organized for conservation purposes, or a State agency authorized by law to own or lease land for conservation or erosion-control purposes. The written request for the non-allotment option must be received in the county office not later than November 1, 1940, except that if the wheat allotment notice is not transmitted to the operator prior to 15 days before the closing date, the request may be made within 15 days after the date shown on the notice of the 1941 wheat allotment.

(3) Acreage planted to wheat (on a wheat allotment farm) means (i) any acreage seeded to wheat (except when it is seeded in a mixture containing less than 50 percent by weight of wheat); (ii) any acreage seeded to a mixture and the wheat matures but the other crop(s) fail to mature; and (iii) any acreage of volunteer wheat which is harvested or remains on the land after May 1, 1941.

B. COTTON

(1) Farm acreage allotments. The same method used in determining cotton allotments for 1940 will be used in 1941. The cotton allotment for each farm is a fixed percentage--uniform for the county or administrative area--of the farm's cropland, excluding the acreage normally devoted to the commercial production of wheat, with certain exceptions and special provisions as follows:

(i) Farms for which the allotment would otherwise be 5 acres or less will have an allotment of the smaller of 5 acres or the highest cotton acreage planted and diverted in 1938, 1939, or 1940.

(ii) Regardless of other provisions, the allotment for any farm on which cotton was planted in 1938, 1939, or 1940 shall be increased to 50 percent of the 1937 planted and diverted cotton acreage, provided that no allotment is thereby increased to more than 40 percent of the farm's cropland.

(iii) A small reserve may be allotted to farms that would otherwise have an allotment of 5 acres or more.

(iv) No allotment determined under the above will be larger than the highest cotton acreage planted and diverted in any of the past 3 years.

(v) A small reserve may be available from any "frozen cotton allotments released by operators to be used to increase allotments that are inadequate and not representative.

(i) A small acreage reserve is available for determining permitted cotton acreages for "new" cotton farms, that is, farms on which cotton is planted in 1941 for the first time since January 1, 1938.

(2) Acreage planted to cotton means the acreage of land seeded to cotton, except that the following acreages of land seeded to cotton shall not be considered as planted to cotton:

(i) Any acreage in excess of the allotment or permitted acreage disposed of before reaching the stage of growth at which bolls are first formed;

(ii) Any acreage in excess of the allotment or permitted acreage disposed of within 10 days after notice of the acreage planted to cotton on the farm in 1941 is mailed to the farm operator; or

(iii) Any acreage from which all of the cotton produced is determined to staple 1-1/2 inches or more in length. Cotton produced from strains of Sea Island or American-Egyptian seed, certified as pure strains by a State or Federal agency, will be considered to staple 1-1/2 inches in length, provided all such cotton is ginned on a roller gin.

C. TOTAL SOIL DEPLETING

(1) Farm acreage allotments. The county committee, with the assistance of community committees, shall determine a total soil-depleting allotment for each farm. The allotment shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops, including sugar beets, customarily grown on the farm, taking into consideration special crop allotments determined for the farm. The total allotment for any farm shall compare with the total allotments for other farms in the same community which are similar with respect to these factors. The total soil-depleting allotments determined for the farms in a county shall not exceed their proportionate share of the county allotment.

D. RESTORATION LAND

(1) Farm restoration land. Restoration land shall be designated by the county committee, with the assistance of community committees, on the basis of the land in the farm which was designated as restoration land under the 1940, 1939, or 1938 program and any additional land in the farm which has been cropped at least once since January 1, 1930, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored; provided that (except for a farm

which is owned or leased by a conservation district, an association determined by the State committee to have been organized for conservation purposes, or a State agency authorized by law to own or lease land for conservation or erosion-control purposes) new restoration land shall be designated only on a farm which is operated by the owner or where such designation has been approved by the owner in the case of a tenant-operated farm.

The county committee shall designate practices to be applied to restoration land determined to be in need of additional practices. Land formerly designated as restoration land shall be reclassified as non-crop pasture or range land, unless the county committee determines, in accordance with instructions of the State committee, that a permanent vegetative cover has not been restored. Land formerly designated as restoration land may, if such land is improperly designated, be restored to its former cropland status, with the approval of the State committee, when offset by an equal acreage of land in the county which is properly designated for the first time in 1941 as restoration land.

Section 2. RATES OF PAYMENT

(a) Farm allowance. The average rate of payment for the farms (referred to herein as the county rate) within each county shall be as follows:

Dallam.....	65 cents
Deaf Smith.....	64 cents
Hansford.....	65 cents
Hartley	62 cents
Moore	67 cents
Oldham	64 cents
Sherman	65 cents

The maximum payment that may be made with respect to any farm in the county shall be the county rate, adjusted for the productivity of the farm, multiplied by the sum of the following: (i) the acreage of cropland, (ii) the acreage of restoration land, and (iii) one-tenth of the acreage of non-crop pasture land on the farm.

Section 3. YIELDS AND PRODUCTIVITY INDEXES

A. Wheat normal yields. The county committee, with the assistance of community committees, shall determine a normal wheat yield for each farm for which a wheat allotment is determined or a deduction is computed as follows:

(i) Where reliable records of the actual average yields per acre of wheat for the 10 years 1930 to 1939 are presented by the farmer or are available to the

committee, the normal yield for the farm shall be the average of such yields, adjusted for trends and abnormal weather conditions.

(ii) If for any year of such 10-year period reliable records of the actual average yield are not available or there was no actual yield because wheat was not produced on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 10-year period.

(iii) The yields determined under paragraph (ii) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county shall not exceed the approved county normal yield.

B. Cotton normal yields. The county committee, with the assistance of community committees, shall determine a normal cotton yield for each farm having a cotton allotment or permitted acreage.

(i) The normal yield shall be the actual average yield of cotton per acre for the 5 years 1936-1940, adjusted for abnormal weather conditions, if reliable records of the actual average of such yields are presented by the producer or are available to the committee.

(ii) If for any year of the 5-year period records of the actual average yield are not available or there was no actual yield because cotton was not produced on the farm in such year, the normal yield for the farm shall be the yield which the county committee determines to be the average yield which was or could reasonable have been expected on the farm for the 5-year period on the basis of all available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land.

(iii) The yields determined under paragraph (ii) of this subsection shall be adjusted so that the average of the normal yields for all farms in the county or administrative area will not exceed the approved normal yield for the county or administrative area.

C. Productivity index. A productivity index shall be determined for each farm. Such productivity index shall be a

percentage which reflects the relative productivity of the farm as compared with the average productivity of all farms in the county, adjusted so as to be fair and equitable as compared with the productivity indexes for other farms in the county, taking into consideration type of soil, general fertility, topography, crop yield history, and any farming practices adopted during the year which will affect the crop yields. The average productivity index for all farms in the county shall not exceed 100 percent.

Section 4. SOIL-BUILDING GOALS AND PRACTICES

A. National goal. The national goal is the conservation of farm land, the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying-out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

B. County goals. County goals may be established for particular soil-building practices which are most needed in the county in order to conserve and improve soil fertility and to prevent wind and water erosion. The county committee, with the approval of the State committee, may designate those practices which will be approved toward meeting the soil-building goal in the county in order that the farm allowance will be used most effectively to bring about added conservation and to secure the carrying-out of soil-building practices most needed on farms in the county.

C. Farm goals. The soil-building goal for any farm shall be one soil-building practice unit for:

- (1) Each acre of cropland;
- (2) Each acre of restoration land; and
- (3) Each 10 acres of grazing land in the farm.

The county committee shall determine which of the practices listed in this section are applicable for meeting the soil-building goal for the farms in the county.

The county committee may, upon prior notification to the operator, designate the location and extent of certain practices which must be carried out on the farm. If the operator fails to carry out such practices, the county committee may withhold all of the payment for the farm or it may withhold that portion of the farm payment which would have been earned by the carrying-out of such designated practices.

D. Soil-building practices. The soil-building practices listed below, if included in the county or farm soil-building goal and if not disapproved by the county committee for the particular

farm, shall count toward earning the soil-building allowance to the extent indicated when they are carried out during the 1941 program year (December 1, 1940, through November 30, 1941) in accordance with specifications following each practice, and in accordance with good farming practices for the locality. No credit for a seeding practice will be given if it is determined by the county committee that the seed used was not adapted seed of such quality as to meet the requirements of good farming practice.

Practices carried out totally or in part, the part representing one-half or more, with labor, seed, trees, or material furnished by any State or Federal agency other than the AAA shall not qualify for payment. If the part of the factors so furnished represents less than one-half, one-half of the practices shall qualify. When such factors are furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State, they shall not be considered to have been furnished by a State agency. Soil-building practices carried out with equipment furnished by the Soil Conservation Service shall not be considered to have been furnished by a State or Federal agency.

SCHEDULE OF SOIL-BUILDING PRACTICES

The county committee may not approve more than one practice for credit when carried out on the same acreage until it has determined that all of the acreage in the farm is adequately protected from wind erosion, and then only where it considers that the combination or duplication of practices will contribute materially to the conservation of soil on the farm. In any event, credit for protecting an acre of cropland or restoration land from wind erosion by any combination, including duplication of practices 4, 5, 8, and 11, shall not exceed one unit per acre. Credit for practices 2, 3, 14, 15, 16, 17, and 19, shall not exceed the amount of the soil-building goal computed with respect to the non-crop pasture land in the farm.

Where the county committee determines that the carrying-out of any of practices 4, 6, 8, and 10 has not resulted in the establishment of sufficient cover to adequately protect the land, credit will not be given for such practice unless the land on which sufficient cover was not established is listed on the contour (or by such other method which will control wind erosion) in the fall of 1941.

EROSION CONTROL

1. Construction of standard terraces for which proper outlets are provided. 75 feet - 1 unit.

Terraces to be approved for payment

- (a) Must not exceed a fall of 4 inches per 100 feet along the terrace line (level terraces preferred where adaptable, particularly on land having very little slope in low rainfall areas).
- (b) Must have fills in terrace line across gullies built up to normal level for the terrace ridge.
- (c) Must equal or exceed the height and width specifications and must not be spaced farther apart than the maximum widths indicated in the following table.
- (d) The outlet ends of all terrace channels shall be protected by means of sodded channels, rock rip-rap, or other mechanical devices to prevent erosion of the terrace channel. Any terraces which are not properly protected will not be accepted under this practice.

Slope of land in feet per 100 feet <u>1/</u>	Minimum height, top of terrace above upper channel		Minimum width from low point in terrace channel to center top of terrace <u>2/</u>		Recommended average distance between terraces <u>3/</u>
	New terrace before led- ges are plowed in	Plowed-in settled terrace	New terrace before led- ges are plowed in	Plowed-in settled terrace	
	Inches	Inches	Feet	Feet	Feet
1/2 or less---	15	10	11	9	210
1 -----	16	11	11	9	150
2 -----	18	12	10	8	100
3 -----	18	12	10	8	83
4 -----	19	12-1/2	10	8	75
5 -----	19	12-1/2	9	7	70
6 -----	20	13	9	7	67
7 -----	20	13	9	7	64
8 or more ----	21	14	8	6	62

- 1/ Over 1/2 foot in vertical fall will be considered as 1 foot. Maximum slope on which terraces will be approved will be determined by the State committee.
- 2/ On slopes in excess of 3 percent, the minimum width specification may be disregarded provided the area of the cross section of the terrace equals or exceeds that of a terrace constructed in accordance with minimum width specifications. The width of the lower side of terrace shall, in all cases, be at least two-thirds the width of the upper side of terrace, as indicated.
- 3/ This recommended average distance, which is the horizontal spacing between terraces, must not be exceeded by more than 30 percent.

2. Construction of reservoirs and dams. Material moved not in excess of 2,000 cubic yards for each development: 5 cubic yards - 1 unit. Material moved in excess of 2,000 cubic yards for each development: 7 cubic yards - 1 unit.

Before a reservoir or dam is constructed under this practice, it must be determined by the county committee that such reservoir or dam will be an efficient means of preventing erosion.

The site for the reservoir or dam shall be inspected and if the dam to be constructed will be 8 feet or more in height or will consist of approximately 300 cubic yards or more of earth, or in all cases where the surface of the ground on which the dam is to be built is extremely irregular, a preliminary survey shall be made before construction is started. At least one bench mark shall be established far enough from the dam so that it will not be disturbed during construction. All measurements and elevation readings shall be made from this reference point. Along the lengthwise contour line of the dam a minimum of three stakes shall be set, one at either end of the proposed dam and one at the lowest point of the stream bed. Additional stakes shall be set at all points where there is a break in the slope of the land. The location and elevation of each stake with reference to the established bench mark shall be properly measured and recorded. If the surface of the ground on which the dam is to be built is irregular, additional stakes should be set along the outline of the base at right angles to the lengthwise center line and spaced so that they will be in line with the main center-line stakes. The location and elevation of these stakes must likewise be recorded.

To reduce seepage, a trench at least 4 feet wide shall be dug along the center line of the dam deep enough to reach a reasonably impervious subsoil. This trench should be filled with the most impervious soil readily available at or near the dam site and should form the base of a core of this same material which should be carried to a height equal to the normal water level in the completed dam. Where it is thought desirable, the entire base of the dam should be scarified to insure better bonding of the fill with the base of the dam. Where dams are built across gullies with steep banks, these banks should be sloped to form a trench for better bonding with the fill.

To be eligible for approval, dams and spillways shall be adequate. No dam shall be approved unless the top is at least 3 feet wide and is at least 3 feet higher than the floor of the spillway. The downstream slope of the dam should not be less than 1:1 but need not be greater than 2:1 regardless of the

size and height of the dam. Upstream slopes on small dams (7 feet high or less) may be 1-1/2:1 but should be at least 3:1 on large dams or where there will be considerable wave action. The top width of the dam will be increased in accordance with the height of the dam, the size of the drainage area, the capacity of the spillway, and other local conditions. For dams 10 feet in height, the top must have a minimum width of 5 feet.

The cross-sectional area of the spillway shall be at least twice the cross-sectional area of the stream at its highest flood stage in the past. The top of the dam shall be not less than 4 feet above the floor of the spillway and this distance shall be increased sufficiently to insure water not running over the dam during floods. Unless this spillway is naturally protected from damaging erosion such protection must be provided. The end of the dam shall be riprapped if it forms a part of the spillway.

Earth used in the construction of the dam or excavated in the spillway (unless such excavated earth is used in the dam) shall be measured and its volume computed. The completed dam shall not be approved unless it is considered adequate and has adequate spillway facilities. The gross volume of earth used in the construction of the dam shall be reduced by 10 percent to compensate for shrinkage and settling before being certified for payment.

Further helpful information regarding the construction of reservoirs and dams may be found in SRM-550 and in Texas Extension Circular No. MS-355.

3. Listing, deep or shallow subsoiling, or furrowing non-cropland on the contour. 1 acre - 1 unit.

The contour listing or furrowing channel must be not less than 8 inches wide and 4 inches deep and not less than 3 feet apart. Subsoil furrows shall not be less than 3 inches wide and 6 inches deep. If the furrows are 8-1/4 feet (1/2 rod) or less apart, the actual acreage of land furrowed will count under this practice. If furrows are over 8-1/4 feet, the acreage of the practice will be computed on the basis of the acreage occupied by the furrow, each furrow being considered to occupy a strip 8-1/4 feet wide. Guide lines for listing or furrowing must be set up at one-half the terrace interval specified in practice 1.

4. Strip cropping, including protection of summer fallow by means of strip fallowing. (Credit for this practice shall not exceed 1 unit for each acre strip cropped or strip fallowed.) 1 acre of erosion-resisting crops - 2 units.

Strip cropping shall consist of alternating strips of sorghums, Sudan grass, broomcorn, small grains, and fallow. Strips of crops shall be not less than 2 rods wide and stalks or stubble shall be at least 8 inches high. Only the acreage occupied by erosion-resisting crops shall be counted in arriving at the acreage for which credit will be given under this practice. Credit will be given for the strips of crops protecting fallow and only for the sorghums, Sudan grass, or broomcorn, if protecting wheat.

5. Protecting summer-fallowed acreage from wind and water erosion by contour listing, pit cultivation, or contour cultivation, with a shovel-type implement. (No credit will be given for this practice when carried out on light sandy soils or on soils where the destruction of the vegetative cover results in the land becoming subject to serious wind erosion.) 1 acre - 1 unit.

This practice may be carried out on summer-fallowed land provided such practice is carried out in an approved manner before June 15, 1941, or on small-grain stubble or for the protection of cropland and wind erosion following crop failure.

- (a) In contour listing, the furrows shall be made with the regular double moldboard lister or with a chisel of approved design or other implements accomplishing the same results according to specifications given herein. The furrows shall not be more than 4 feet apart and not less than 8 inches wide and 4 inches deep, or with a chisel, furrows not less than 4 inches wide and 8 inches deep. The furrowing shall be done with the contour of the land following guide lines established at not to exceed twice the terrace interval specified in practice 1 or shall parallel terraces on the land already terraced.
- (b) Pit cultivation must be done with an approved basin lister which will dam the lister furrows at regular intervals or with another implement accomplishing similar results. Furrows are not to be more than 4 feet apart and not less than 4 inches deep and the pits or basins must occupy at least 25 percent of the land.
- (c) Contour cultivation must follow guide lines established with a standard farm level or surveyor's instrument not to exceed twice the terrace interval specified in practice 1 or must follow established terraces or rows established on the contour.

6. Contour farming intertilled crops. This practice consists of the planting and cultivation of row crops following the contour as determined by a farm level or surveyor's instrument or following established terraces. No credit will be given for this practice on an acreage on which credit has been given for any other practice. 1 acre - 1 unit.

7. Contour seeding of small-grain crops and sorghums when drilled, provided sufficient growth is obtained to control wind erosion. Credit will be given only on these crops seeded for harvest in 1941. 1 acre - 1 unit.
8. Establishing a cover crop of which a good stand and good growth is obtained. 1 acre - 1 unit.

Leaving on the land as protection against wind erosion stalks (at least 8 inches high) of sorghums, broom corn, Sudan grass or millet, listed or drilled in rows not over 44 inches wide or a good turf of Sudan grass, sorghums, or millet drilled with spacing not over 14 inches wide, approved by the county committee, if the operator's farming plan provides that a cover will be left on the land until the spring of 1942. No credit will be given for this practice on an acreage on which credit has been given for any other practice.

9. Leaving on the land all growth of sorghum, Sudan grass, and millet close-grown or in rows not more than 16 inches apart. 1 acre - 2 units.
10. Border planting of sorghums, broomcorn, Sudan grass, and millet. No credit will be given for this practice on an acreage on which credit has been given for any other practice. Credit will be given only for the area seeded. The stalks (at least 8 inches in height) on border planted crops are to be left on the land until the spring of 1942, the border not to be less than 100 feet wide on four sides of the field unless a fewer number of sides of the field is approved by the county committee. 1 acre - 2 units.
11. Natural vegetative cover. Native grasses and weeds of proper growth to prevent erosion or small-grain stubble of crops harvested in 1941 and left on cropland where it is determined by the county committee that such cover will be left on the land until the spring of 1942. 1 acre - 1 unit.

SEEDINGS

12. Seeding alfalfa. 1 acre - 6 units.

Seeding adapted varieties of alfalfa on a properly prepared seedbed. Seeding shall be at a rate of not less than 12 pounds per acre. Spring seeding must be done prior to April 15, 1941, and fall seeding prior to September 15, 1941.

13. Seeding permanent grasses or permanent pasture mixtures containing a full seeding of legumes or grasses, or both, other than timothy and redtop. 1 acre - 4 units.

The following varieties of grasses are adaptable to this region and can be included in the above mixtures: Blue grama, side oats grama, buffalo, sand dropseed and western wheat grass. Not less than 12 pounds per acre shall be used. The seeding operation will be in a manner found best adapted to the particular area.

14. Natural reseeding of non-crop pasture by non-grazing during the normal pasture season. 7 acres - 1 unit.

The area of deferred grazing must be kept free of livestock during the deferred grazing period. Range land not in the deferred grazing area must not be pastured to such an extent as to decrease the stand of grass. The period for deferred grazing shall begin on a day between March 1, 1941, and June 1, 1941, as determined by the county committee with the approval of the State committee. The deferred grazing period shall extend from the approved beginning date for not less than 5 consecutive months.

15. Reseeding depleted pastures or restoration land with good seed of adapted pasture grasses or approved pasture mixtures. The same varieties as shown in practice 13 will be acceptable under this practice. The rate of seeding shall be sufficient to secure a normal stand of grass but shall not exceed 12 pounds per acre. 3 pounds - 1 unit.
16. Destruction of undesirable weeds and shrubs by mowing on non-crop pasture land and restoration land. 3 acres - 1 unit.

Payment will not be made if plants mowed are used for hay or sold for any purpose. Payment will not be made for mowing a greater number of times than the county committee, with the approval of the State committee, finds is necessary for destruction of the noxious plants.

17. Control of destructive plants on non-crop pasture land.

(a) Pricklypear and cactus:

- (1) Light infestation (2 to 5 percent) - 1 acre - 2/3 unit.
- (2) Medium infestation (6 to 10 percent) - 1 acre - 1 unit.
- (3) Heavy infestation (over 10 percent) - 2/3 acre - 1 unit.

(b) Sagebrush - heavy infestation (10 percent or more) - 1 acre - 2/3 unit.

Provided: That, if the county committee determines that the control of destructive plants under this practice will reduce the vegetative cover to such an extent as to cause increased

soil erosion, artificial reseeding of such acreage will be required. Approval of the county committee must be secured prior to the institution of this practice.

MISCELLANEOUS

18. Eradication or control, in accordance with approved methods, of seriously infested plots of perennial noxious weeds designated by the AAA, such as wild morning-glory or bindweed.
1 acre - 10 units.

Payment for this practice may be approved outside of organized weed-control districts only on farms where the infestation is limited to a single farm or if approved weed-control measures are being carried out on all adjacent infested farms and contiguous land or the county committee determines that there is no likelihood of reinfestation from adjacent farms or contiguous land.

19. Drilling or digging wells for the purpose of providing water for livestock.

(a) Casings not less than 4 inches in diameter. 1 foot-3 units.

(b) Casings less than 4 inches in diameter. 1 foot - 1 -1/3 units.

Wells must be sufficiently cased to prevent caving. The operator will be required to erect at his expense a wind-mill or a power pump, together with adequate pumping equipment and water tanks. Payment will not be approved for a well developed at the farmstead. A dry hole will not qualify for payment.

20. Growing a home garden for a landlord, tenant, or sharecropper family on a farm - 5 units.

A home garden shall be one determined by the county committee to be sufficient to meet the needs of the family growing it. The vegetables produced in the garden are to be grown for home use, either for consumption fresh during the growing season or for canning, drying, or storing. The planting shall consist of at least 10 different kinds of vegetables. The garden must be planted in a properly prepared seedbed and cultivated in accordance with good garden culture.

Section 5. SOIL-DEPLETING ACREAGE

A. Soil-depleting acreage means the acreage of land devoted during the 1941 crop year to one or more of the following crops or uses (land on which a volunteer crop is harvested shall be classified

as if the crop had been planted):

(1) Corn, including sweet corn and popcorn, planted for any purpose, except roasting ear corn or popcorn grown in home gardens for use on the farm.

(2) Grain sorghums planted for any purpose.

(3) Amber, orange, redtop, African millet, and seeded ribbon cane varieties of sweet sorghums, when harvested for grain or seed; all other varieties when planted for any purpose.

(4) Land considered as planted to cotton in accordance with the definition of "acreage planted to cotton" on page 4; other land on which all of the cotton produced is determined to staple 1-1/2 inches or more in length.

(5) Sugar beets planted for any purpose.

(6) Broomcorn harvested for any purpose.

(7) Truck and vegetable crops planted for any purpose, except when grown in home gardens for use on the farm.

(8) Potatoes planted for any purpose, except when grown in home gardens for use on the farm.

(9) Field beans planted for any purpose, except when used as green manure or grown in home gardens for use on the farm.

(10) English peas planted for canning, freezing, or dried peas, except when used as green manure or grown in home gardens for use on the farm.

(11) Wheat planted (or regarded as planted) for any purpose on a wheat allotment farm.

(12) Wheat (on a non-wheat allotment farm) which reaches maturity.

(13) Oats, barley, rye, emmer, speltz, or mixtures of these crops, harvested for grain.

(14) Wheat (on a non-wheat allotment farm), oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for hay, except when such crops are used as nurse crops for legumes or perennial grasses which are seeded in a workmanlike manner and the nurse crop is cut green for hay.

(15) Buckwheat, Sudan grass, or millet, harvested for grain or seed.

(16) Land summer-fallowed and not protected from wind and water erosion by contour listing, put cultivation, strip cropping, border planting, or by other methods approved by the State committee.

(17) Commercial bulbs and flowers and cultivated sunflowers harvested for any purpose.

B. If one soil-depleting crop or land use is followed by another soil-depleting crop or land use on the same land, such land shall count only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded.

C. If more than one soil-depleting crop or land use occupies the land at the same time, the land shall be classified in accordance with the actual acreage occupied by each crop or land use, except that, if cotton and another soil-depleting crop are grown in alternate rows or strips, or both, the rows or strips of cotton are less than 7 feet apart (measured from the drill), cotton shall be considered to occupy all of the land.

D. Truck crops and vegetables that are entirely consumed on the farm are considered as having been produced in home gardens for use on the farm, and the acreage devoted to such crops is not classified as soil depleting. The entire acreage devoted to any truck crop or vegetable, a part of which is used for commercial purposes, is considered as soil depleting.

E. If a soil-depleting crop is interplanted with, grown in combination with, or followed by, a crop not classified as soil depleting, the entire acreage of land shall be classified as soil depleting; except that where strips of soil-depleting crops, alternating with strips of crops or land uses not classified as soil depleting, are 10 feet (3 rows not less than 40 inches wide) or more apart, the acreage occupied thereby is classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil depleting being measured from a point one-half the width of the soil-depleting row, but in no case less than 1-1/2 feet, from the outside of the strip of soil-depleting crop).

F. All or any part of any acreage of any general soil-depleting crop which is destroyed before maturity by flood, drought, insects, or any other cause beyond the control of the operator, may be considered as not having been devoted to a soil-depleting crop for purposes of determining the total acreage of soil-depleting crops, if replaced by other acreage devoted to a soil-depleting crop.

Section 6. NET FARM PAYMENT OR DEDUCTION

The net payment or net deduction computed for any farm in the county shall be the maximum farm payment less the sum of the following:

A. Deductions for excess acreages of soil-depleting crops.

(1) Wheat: (i) (Wheat allotment farms) 50 cents per bushel of the normal yield for the farm for each acre planted to wheat in excess of its wheat acreage allotment.

(ii) (Non-wheat allotment farms) 50 cents per bushel of the normal yield for the farm for each acre of wheat harvested for grain or for any other purpose after reaching maturity in excess of its wheat acreage allotment or 10 acres, whichever is larger.

(2) Cotton: 4 cents per pound of the normal yield of cotton for the farm for each acre planted to cotton in excess of its cotton acreage allotment.

(3) Total soil depleting: Seven times the county rate, adjusted for the productivity of the farm, for each acre of the soil-depleting acreage in excess of the sum of the total soil-depleting acreage allotment determined for the farm and the acreages with respect to which deductions are computed under subparagraphs (1) and (2) of this subsection.

B. Deduction for failure to carry out soil-building practices. The farm rate for each unit by which the soil-building goal is not reached.

C. Deduction for cropping restoration land. \$3.00 for each acre of restoration land and any land previously designated as restoration land which has been reclassified as non-crop pasture or range land which is plowed or tilled in 1941 for any purpose other than tillage practices to protect the land from wind erosion or tillage operations in connection with the seeding of an approved non-depleting cover crop or permanent grass mixture.

D. Deduction for failure to prevent wind or water erosion. 25 cents per acre for each time wind or water erosion-control methods recommended by the county committee are not carried out on the farm in 1941 by the date specified by the committee.

E. Deduction for breaking out native sod. \$3.00 for each acre of native sod or any other land on which a permanent vegetative cover has been established broken out during the 1941 program year less the acreage broken out with the approval of the county committee as a good farming practice for which an acreage of cropland other than restoration land is restored to permanent vegetative cover.

F. Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that (1) terraces constructed, forest trees planted, or pastures established, under previous agricultural conservation programs, are not maintained in accordance with good farming practices, (2) seedings of perennial legumes or grasses are destroyed after producers have been advised that the destruction of such legumes or grasses would constitute a practice which would be contrary to good farming practices in the county, or (3) the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, the amount of the payment offered for the practice under the 1941 program shall be deducted from payments which would otherwise be made.

Section 7. DIVISION OF PAYMENTS AND DEDUCTIONS

The net payment or net deduction computed with respect to any farm shall be divided between the landlord and tenant in proportion to the extent to which such landlord and tenant contributed to the carrying-out of soil-building practices on the farm. Where the division of the principal crop in the lease or operating agreement is on the basis of three-fourths to the tenant and one-fourth to the landlord, the tenant shall be deemed to have contributed 80 percent and the landlord 20 percent, and where the division of the principal crop in the lease or operating agreement is on the basis of two-thirds to the tenant and one-third to the landlord, the tenant shall be deemed to have contributed 74 percent and the landlord 26 percent to the carrying-out of the soil-building practices on the farm, unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were different from such respective percentages, in which event such payment or deduction shall be divided in the proportion in which the county committee determines that each such person contributed to the carrying-out of the soil-building practices on the farm. On any farm where there is more than one landlord, the division of the landlord's share of the net payment or net deduction between the several landlords shall be in proportion to the contribution made by each such landlord to the total soil-building goal determined for the farm, unless such landlord establishes to the satisfaction of the county committee that his respective contribution to the carrying-out of the practices was different from such respective percentage, in which event such payment or deduction shall be divided in the proportion in which the county committee determines that such landlord contributed to the carrying-out of the soil-building practice on the farm.

Section 8. INCREASE IN SMALL PAYMENTS

The total payment computed under sections 1 through 4 for any person with respect to any farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1.00;

(2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$ 1.00 to \$1.99	\$0.40	\$32.00 to \$32.99	\$10.40
2.00 to 2.99	.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	<u>1/</u>
31.00 to 31.99	10.20	200.00 and over	<u>2/</u>

1/ Increase to \$200.00.

2/ No increase.

Section 9. PAYMENTS LIMITED TO \$10,000

The total of all payments made in connection with programs for 1941 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate, with respect to farms and ranching units located in Texas shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate, with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000, prior to deduction for association expenses in the county or counties with respect to which the particular payments are made.

All or any part of any payment which has been or otherwise would be made to any person under the 1941 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section 10. DEDUCTIONS INCURRED ON OTHER FARMS

A. Other farms in the same county. The net deduction computed for any landlord, tenant, or sharecropper under section 6 shall be deducted from the share of the payment which would otherwise be made to him for performance on any other farms in the county.

B. Other farms in the same State. The net deduction computed for a landlord, tenant, or sharecropper in a county shall be deducted from the payment computed for such person for performance on any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farm for which such net deduction is computed substantially offset the contribution to the program made on such other farms.

Section 11. DEDUCTION FOR ASSOCIATION EXPENSES

There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Section 12. GENERAL PROVISIONS RELATING TO PAYMENTS

A. Payment restricted to effectuation of purposes of the program. All or any part of any payment which otherwise would be made to any person under the 1941 program may be withheld or required to be returned (1) if he adopts or has adopted any practice

which tends to defeat any of the purposes of the 1941 or previous agricultural conservation programs. (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purpose of the 1941 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) Practice. A landlord or operator, including the landlord of a cash or standing or fixed-rent tenant, either by oral or written lease, or by an oral or written agreement supplementary to such lease, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any government payment which the tenant or sharecropper has received or is to receive for participating in the 1941 program.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) Practice. A landlord or operator requires that his tenant or sharecropper pay, in addition to the customary rental, a sum of money or any thing or service of value equivalent to all or a portion of the government payment which may be, is being, or has been earned by the tenant or sharecropper.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to the landlord or operator with respect to the farm.

(3) Practice. A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1941 program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of payments to which they are entitled.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) Practice. A landlord or operator requires his tenant

or sharecropper to execute an assignment, ostensible covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations.

Amount to be withheld or refunded. The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) Practice. A person complies with the provisions of the program on a farm or farms operated by him as an individual, but substantially offsets such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control.

Amount to be withheld or refunded. All the payments which have been or otherwise would be made to a person who adopts such practice.

(6) Practice. A partnership, association, estate, corporation, trust, or other business enterprise (in which a particular person is interested) carried on its operations so as to qualify for payment, but one of the persons who is in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise substantially offsets such performance by such person's individual operations.

Amount to be withheld or refunded. Such person's payments shall be forfeited and the payments to the partnership, association, estate, corporation, trust, or other business enterprise shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) Practice. A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State.

Amount to be withheld or refunded. The net amount of the deduction which would be computed for the person for such overplanting if the farms were in the same State.

(8) Practice. A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land.

Amount to be withheld or refunded. The net amount of the deduction which would be computed if the person were entitled to receive all the crops produced on the rented land.

(9) Practice. A person participates in the production of a crop on a farm other than a farm in which he admits having an

interest. (A person shall be considered to be participating in the production of a crop if the committee finds that he furnished either machinery, workstock, or financial assistance for the production of such crop and that he has a financial interest in such crop.)

Amount to be withheld or refunded. The proportion of the net amount of the deduction which would be computed for the farm which the State committee determines was such person's interest in the crops produced.

(10) Practice. A tenant, in settling his obligations under a retail contract or agreement or a contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord the whole or any part of any government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Director of the Southern Division.

Amount to be withheld or refunded. The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by the landlord the whole of the payment with respect to all of his farms under the program involved; provided, however, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's payments shall be withheld or recovered.

(11) Practice. A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the payment that would otherwise be made to the tenant or sharecropper with respect to such crop.

Amount to be withheld or refunded. The entire payment which has been or would otherwise be made to such landlord or operator with respect to the farm.

(12) Practice. A person misuses or participates in the misuse of a cotton marketing card or fails to file any report required by or under the regulations pertaining to cotton marketing quotas for the 1940 or 1941 crop and such misuse or failure to file such report results in erroneous or incomplete records pertaining to any farm in connection with cotton marketing quotas and fails to complete or correct such records.

Amount to be withheld or refunded. The entire payment which has been or would otherwise be made to such person with respect to the farm.

All determinations in connection with these practices shall be made by the county committee, with the approval of the State committee, or by the State committee.

B. Failure to carry out erosion-control measures. No payments will be made to any person with respect to any farm which such person owns or operates in a county if the county committee finds that such person has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard in 1941 to other land in the community in which such farm is located.

C. Payment computed and made without regard to claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection (E) of this section, advances for crop insurance premiums for the farm, and indebtedness to the United States subject to set-off under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

D. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1941 any change of the arrangements which existed on the farm in 1940 is made between the landlord or operator and the tenants or sharecroppers and such change would cause a greater proportion of the payments to be made to the landlord or operator under the 1941 program than would have been made to the landlord or operator for performance on the farm under the 1940 program, payments to the landlord or operator under the 1941 program with respect to the farm shall not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1940 had been continued in 1941, unless the county committee certifies that the change is justified and approves such change.

If on any farm the number of sharecroppers or share tenants in 1941 is less than the average number on the farm during the three years 1938 to 1940 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments to the landlord or operator shall not be greater than the amount that would otherwise be paid, unless the county committee certifies that the reduction is justified and approves such reduction.

The action of the county committee under this subsection is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1941 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has

been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1941 Texas Special Program.

E. Assignments. Any person who may be entitled to any payment in connection with the 1941 Texas Special Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1941. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70) issued by the AAA and unless such assignment is entitled to priority as determined under the instructions issued by the AAA.

Nothing contained in this subsection (E) shall be construed to give an assignee (the person to whom the assignment is made) a right to any payment other than that to which the farmer is entitled. Neither the Secretary nor any disbursing agent shall be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

F. Excess cotton acreage. Any person who makes application for payment with respect to any farm located in a county in which cotton is planted in 1941 shall file with such application a statement that he has not knowingly planted or caused or permitted the planting of cotton during 1941 on land in any farm in which he has an interest in excess of the cotton allotment or permitted cotton acreage for the farm for 1941, and that cotton was not planted in excess of such cotton allotment or permitted cotton acreage by his authority or with his consent. Any person who knowingly plants or causes or permits the planting of cotton on his farm in 1941 on acreage in excess of the cotton allotment or permitted cotton acreage for the farm for 1941 shall not be eligible for any payment on that farm or any other farm under the 1941 program.

(1) In cases where the planting (seeding) of cotton on the farm was completed after notice of the cotton allotment or permitted cotton acreage was mailed to the operator, and the acreage planted to cotton on the farm exceeds the cotton allotment or permitted cotton acreage for the farm, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if --

(a) He proves that the excess acreage was planted because of a bona fide mistake as to the number of acres in the tract(s) planted to cotton; or

(b) He did not participate in the planting of the cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

A notice of the cotton allotment or permitted cotton acreage mailed to the operator of the farm shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1941.

(2) In any case where the planting of cotton on the farm was completed prior to the mailing of notice of the cotton allotment or permitted cotton acreage for the farm, the county committee shall determine that the farm was knowingly overplanted if it finds that--

(a) The number of acres planted to cotton on the farm exceeded the number of acres which the producer might reasonably have expected to be allotted to the farm, or

(b) Where, through an error or an oversight, no notice was mailed, but the fact that cotton allotments or permitted cotton acreages had been determined was known to the producer and, without making a reasonable effort to ascertain the amount of the cotton allotment or permitted cotton acreage for his farm, he planted a number of acres which exceeded the cotton allotment or permitted cotton acreage for his farm.

Whenever, as provided above in this paragraph (2), the county committee determines that the overplanting was knowingly done, all producers entitled to share in the cotton crop, or its proceeds, will be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage; provided that any producer will not be considered to have knowingly overplanted the cotton allotment or permitted cotton acreage if he did not participate in the planting of cotton (either by his own labor or by labor procured by him for that purpose) and proves that the excess acreage was planted without his knowledge and consent, or, if planted with his knowledge but without his consent, that he made every reasonable effort to prevent the planting of cotton in excess of the cotton allotment or permitted cotton acreage for the farm.

G. Deductions in case of erroneous notice of acreage allotment. Notwithstanding the deduction provisions of section 6, in any case where, through error in a county or State office, the producer was officially notified in writing of an acreage

allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find that the producer, acting solely upon information contained in the erroneous notice, planted (seeded) an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted (seeded) an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

H. Materials and services furnished to carry out soil-building practices. Wherever it is found practicable, limestone, superphosphate, trees, seeds, and other farming materials, and terracing services may be furnished by the AAA to be used in carrying out approved soil-building practices on the farm in lieu of payments.

Wherever such materials or services are furnished, a deduction shall be made in an amount determined by the AAA on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purpose for which such material was furnished, an additional deduction for the materials misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials or services shall be made from payment due the person who obtained the materials or services on the same or any other farm in the county. In the event the amount of the deduction for materials or services exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary; provided that deduction for any deficit will be made insofar as possible from payments computed for other persons on the farm with respect to which such materials or services were furnished.

Section 13. APPLICATION FOR PAYMENT

A. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of section 7, a share in the payment with respect to the farm may be computed and (1) who is determined by the county committee to be entitled, as of the time of harvest, to share in any of the crops grown on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of such farm and participates thereon in 1941 in carrying out approved soil-building practices.

B. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1942, for farms for which a work sheet is on file in the county office executed under previous agricultural conservation programs or not later than

March 1, 1941. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Director of the Southern Division. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

C. Application for other farms. If a person makes application for payment with respect to a farm in a county and has the right to receive all or a portion of the crops, or proceeds therefrom, produced on any other farm in the county, such person must submit an application for all such farms in the county which he operates or rents to other persons. Upon request of the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State from which he has the right to receive all or a portion of the crops, or proceeds thereof, or rents to another.

Section 14. APPEALS

Any person may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation regarding any matter affecting the right to or the amount of his payment respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper. The county committee shall notify such person in writing of its decision within 15 days after receipt of such written request for reconsideration. If such person is not satisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person in writing of its decision within 30 days after the submission of the appeal. If such person is not satisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the Southern Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the

operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing, if he appears when the hearing thereon is held.

Section 15. DEFINITIONS

For the purposes of the 1941 Texas Special Agricultural Conservation Program:

(1) FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(a) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the AAA, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(2) PERSON means any individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(3) LANDLORD or OWNER means a person who owns land and rents such land to another person or operates such land.

(4) SHARECROPPER means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(5) TENANT means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of a crop produced thereon, or of the proceeds thereof) and is entitled under a written or oral lease or agreement to receive all or a share of a crop produced thereon or of the proceeds thereof.

(6) CROPLAND means farm land which in 1940 was tilled or was in regular rotation, excluding any land which constitutes or will constitute, if such tillage is continued, a wind-erosion

hazard to the community.

(7) COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, or bush fruits, on the farm at the beginning of the program year (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

(8) NON-CROP PASTURE LAND means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any shrubs or trees is such that the land could not be fairly considered as woodland.

(9) SPECIAL CROP ALLOTMENTS, SPECIAL ALLOTMENTS, or SPECIAL CROPS mean cotton and wheat acreage allotments or crops.

Section 16. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority. Pursuant to the provisions of the 1941 Special Agricultural Conservation Program for the Southern Great Plains Area, issued by the Secretary of Agriculture, and the authority vested thereby in the AAA, payments will be made for participation in designated counties in Texas in the 1941 Texas Special Agricultural Conservation Program, in accordance with the provisions of said bulletin and such modifications thereof or other provisions as may hereafter be made.

B. Availability of funds. The provisions of the 1941 Texas Special Agricultural Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriation as the Congress may hereafter provide; and the amount of such payments in any county will necessarily be within the limits finally determined by such appropriation, the final estimate of payments which would be made in the county under the 1941 National Agricultural Conservation Program, and the extent of participation in such county. As an adjustment for participation, the rates of payment and deduction specified herein may be increased or decreased by as much as 10 percent.

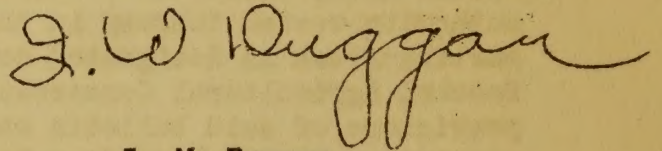
C. Applicability. The provisions of this bulletin are applicable only to farms in Dallam, Deaf Smith, Hansford, Hartley, Moore, Oldham, and Sherman Counties, Texas, but such provisions are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States; and (2) land owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service, Soil Conser-

vation Service, Bureau of Agricultural Economics, Division of Grazing, or Bureau of Biological Survey. Therefore, no payment may be made to any producer under the 1941 program with respect to such lands.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the AAA finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Issued March 13, 1941, with the approval of the Administrator.

A handwritten signature in dark ink, reading "I. W. Duggan". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

I. W. Duggan,
Director, Southern Division